

## EXTENSIONS OF REMARKS

## ASSESSING THE CIVIL JUSTICE SYSTEM

HON. JOHN EDWARD PORTER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. PORTER. Mr. Speaker, last week the Fordham University Law School and the Insurance Information Institute hosted an excellent National Symposium on Civil Justice Issues. This symposium brought together 50 of the leading thinkers and practitioners within the legal, judicial, business, academic, consumer, journalism, and local government fields to discuss the full range of past experiences and future perspectives on civil justice reform, alternatives to litigation, and the relationship between the tort system and the liability issues which are so prominent on the national agenda today. I understand that the proceedings of this symposium will be published. I would encourage my colleagues to consult them for a comprehensive summary of all viewpoints on the current liability situation, cogently expressed by their leading advocates.

A distinguished constituent of mine, Mr. Richard J. Haayen, president of the Allstate Insurance Group of Northbrook, IL, is currently serving as chairman of the board of the Insurance Information Institute, one of the host organizations for the symposium. It is my pleasure to bring to the attention of my colleagues the thoughtful historical and philosophical perspective on the civil justice system outlined in Mr. Haayen's remarks to the symposium on May 1, 1986.

ADDRESS BY RICHARD J. HAAYEN BEFORE THE INSTITUTE FOR CIVIL JUSTICE SYMPOSIUM  
Good Afternoon.

As Chairman of the Insurance Information Institute, I would like to add my welcome to all of you to this symposium on our Nation's Civil Justice System. I applaud the Institute and its staff for all of the hard work that they have done to make this meeting an enlightening challenge to each of us; a challenge to play a meaningful role in the ongoing process of evaluating our Civil Justice System.

Evaluating the system is no easy task. If the issues were black and white instead of gray, if the problems were simple instead of so complex, if things were either good or bad, there would be no debate nor any controversy.

There is a lot of good in the Civil Justice System and, yet, there is also a great deal that seems to have gone wrong with it. That's why it's necessary for all of us, not just to talk, but to act, and act in ways that will enhance the best and cure the worst of this system.

Having said that, I must clarify that it's not my intent to speak with you about specific reform proposals. Instead, what I would hope to do today is share with you a slightly different perspective of the debate generally, and, also to share with you, spe-

cifically, the perspective of at least one insurance company—Allstate.

To understand the larger perspective of the Civil Justice controversy, we must first destroy one of the major myths which has emerged: the myth that the debate is little more than a fight between lawyers and insurance companies.

Now, if your major source of information about the controversy is television or even the press, it's easy to understand how such a myth could develop. But the myth is just that, and, since it tends to cloud the public's perception of the truly significant issues, it is important to begin by explaining what the controversy is not.

It's not a battle between lawyers and insurers. They are only intermediaries in the system, a system with tremendous influence in our Nation's overall social and economic performance. No two interest groups, however powerful, could totally control the destiny of this country's Civil Justice System.

There is another reason more deeply rooted in economics why the lawyer/insurer fight myth is false.

You must remember that the insurance industry and the lawyer industry are two of the principal industries that benefit from the performance of the system. And I have to believe that if the fight were exclusively between these two groups, we are each smart enough to extract concessions from the other. That way, we could both avoid the risk presented by the current level of public scrutiny into both our industries.

To those who argue that the behavior of the insurance industry drew public attention to the Civil Justice System, I would agree.

But to those who argue that the insurance industry caused the crisis, I can only say that at best, they reveal a fundamental lack of understanding of the problem. Or, at worst, they are trying to deflect public scrutiny away from the deficiencies of the system itself.

The fact is that the issues are larger than both the insurance industry and the legal industry. The issues that have stemmed from this Civil Justice controversy affect virtually all sectors of our society.

I will concede that this myth does bear a seed of truth. I agree that we do have a fight on our hands.

But that fight is not between lawyers and insurers, or, as some accounts would lead you to believe, between insurers and insurance buyers.

When the heart of the controversy is exposed, I believe what we find is a society that is fighting with itself.

A society struggling to rationalize the inherent conflict between the sought-after benefits of risk-taking behavior, on the one hand, and the adverse consequences such behavior will inevitably produce, on the other.

The conflict does not necessarily produce significant controversy until circumstances demand that we make choices between the two.

Such a time to make a choice is now. This certainly is not the first time society has had to confront such choices. It happens

often in a dynamic society with a dynamic economy. To prove that the time is now right for a reevaluation of the Civil Justice System and that the conflict may be more evolutionary than revolutionary, I'd like to take a brief detour into history.

The origins of our Civil Justice System are British, and that system itself is a product of literally centuries of evolution, dating back to the earliest forms of Anglo-Saxon civilization.

In its earliest and crudest forms, the Anglo-Saxon Civil Justice System was one characterized by concepts of absolute liability. In large measure, it was punitive in nature. For instance, if an individual's animal created harm, the animal was simply put to death.

As society advanced, certain exceptions to the strict liability concept emerged. Financial remuneration replaced the "eye for an eye" system of compensation, or revenge. But the concept of strict liability remained intact until the dawn of the industrial revolution.

It was at that time that British society concluded that the imposition of strict liability might discourage or prevent industrial development. So they changed the law to encourage the production of jobs and wealth. What they did was allow an individual to escape liability altogether, if he proved that he had exercised due care in his conduct.

American courts followed and ultimately developed what became known as the negligence action, which protected the defendant still further. First, it required that the plaintiff prove that the defendant had failed to meet the prevailing standard of care. Secondly, it required the plaintiff to prove further that he or she did not contribute to the injury.

American society's goal of economic growth drove those decisions. That goal continued to drive our legal system with no radical changes—except perhaps for the workers' compensation statutes, which reflect an economic growth strategy—until the economic fruits of the post-World War II boom began to be felt in this Country. This time the change was internally generated, and, not legislated.

Post-war prosperity in America produced a fundamental change in the values and beliefs of the American public. It was those new values that were reflected in the behavior of our judges and juries.

Think back for a moment. In the late '50s and early '60s, America was more prosperous than ever before. Our economy was booming, and the living standards of most of our population had improved dramatically. We dominated the global economy.

We viewed our resources as boundless and our economic potential as limitless. Limitless, too, was America's compassion. We stopped saying "no" to injured victims and started bending and breaking the rules of the liability system to find an available source of compensation.

Defenses previously available to defendants began to fall, immunities were destroyed and new theories devised to increase the odds of a recovery.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Obviously, increasing insurance protection fueled this phenomenon and perhaps created the now well-known theory of "deep pockets."

To this extent, we were a source of our own current complaints, because without the insurance mechanism, the Civil Justice System would bear little resemblance to what we know today.

Let me emphasize, however, that I point to this post-war phenomenon in our Nation's liability system not by way of criticism, but merely as further evidence of the fact that our Civil Justice System reflects choices made along the way by society. Choices that, when made, reflected the values and beliefs of society.

I believe we're at a similar crossroad today. Choices must now be made.

The Civil Justice System must change. And it will change, in my opinion, because our larger social and economic priorities continue to change and evolve, bringing with them underlying changes in the values and beliefs of American citizens.

I believe that the choices society must now make in the Civil Justice arena are similar to the choices now being grappled with in the fiscal-policy arena.

Both the tax reform and budget deficit debates, as well as the Civil Justice debate, reflect conflict between our post-war idealism and our contemporary realism. Neither are subject to simple solutions. Both require difficult choices.

Insurers and lawyers will participate in the Civil Justice debate. However, neither should be allowed to win. Society at large will win by seizing the opportunity to re-evaluate its Civil Justice System, and to make the choices necessary to assure that the system achieves its larger social, economic and humanitarian goals.

I would now like to look to the future to share with you my personal view concerning the real insurance industry needs in the current debate and the rationale underlying them. In doing so, let me start by destroying one more myth. The one that says that the ultimate goal of the insurance industry, through its current reform efforts, is to deprive individuals of benefits to which they are rightfully entitled.

The myth is false. The insurance industry is in the business of providing benefits and not of depriving benefits. The larger the number of people entitled to benefits and the larger the size of the average award, the more substantial our market becomes, and the more attractive our profit potential.

In no uncertain terms, we have both an economic and a humanitarian incentive to see rights of recovery expanded for injured victims.

So what's the problem, you ask? Why is insurance availability in some areas threatened?

The problem is that the liability system appears to be capricious to the point where insurers' ability to predict the real probabilities of liability outcomes has been weakened substantially. There is a lack of certainty, because the standard of care, the base line for the analysis of liability risk in our legal system, is no longer firmly established.

Society's desire to expand compensation rights has produced a situation where, in many instances, it is essentially impossible to predict whether given levels of care undertaken today will be adequate to escape liability tomorrow. In fact, in some areas, the perception is beginning to emerge that no level of care, no matter how stringent, will

ultimately prove adequate to escape liability.

Consequently, when a risk is presented to insurers today, we cannot form realistic expectations of the liability potential of that risk. We have essentially lost our confidence in the permanency of the established standards. And we have lost our confidence in the dedication of the Judicial Branch of Government to enforce these standards responsibly.

If the liability insurance mechanism needs one thing in order to function effectively, it is the need for certainty. For the system to work well, insurers must know what the standards to be applied in the future are, and they must know, now, that they will be applied evenly in all cases.

When we know the rules, we can deal with the kinds of uncertainty insurance was meant to handle, and thus, we can evaluate whatever risk is presented to us on the basis of the probability of its behavior violating the established standards. We can then establish a premium for the risk presented.

Without such certainty, risks presented to us are essentially unknowable. And if the risk is unknowable, then it is inherently uninsurable.

That brings me to the next issue: affordability.

It might surprise you to learn that, theoretically, the insurance industry does not care what these standards are because the insurance mechanism itself can function effectively as long as the necessary levels of certainty are provided through permanent and rigidly-enforced rules.

However, in practical terms, the insurance industry cares very much about what standards are established. And so must society, because it is the design of the specific rules which will determine whether or not the liability system is broadly affordable to society at large.

Affordability is a critical ingredient in assuring that the insurable risks of society can be spread efficiently throughout the economy. This is the arena for resolving the conflicting interests of our humanitarian goals and the ability of our economy to meet them.

Such resolution requires further reform. We must take bold steps to make the system a true "last resort" system, and to make it operate more efficiently.

We must eliminate incentives to litigate, and to prolong and complicate litigation. We must wipe out double recoveries.

Our society cannot afford to compensate all injury victims once, and we certainly must not endorse a social system which compensates some victims two or more times.

We also must determine how much of the resources of the system should be dedicated to intangible, rather than tangible, losses; losses which are real, but inherently not provable, such as pain and suffering, fear, shock, anguish and grief.

And finally, we must stop trying to use the Civil Justice System as a criminal justice system.

Simply stated, our society must develop the courage to understand that the tort liability system is not a Utopian scheme designed to provide benefits to all injured victims. We must understand, under our liability system, there is not a remedy for every wrong—if wrong is to be defined as the suffering of an injury or loss. We must acknowledge this critical ingredient in the system and must develop the fortitude to live with that result.

If our society is not willing to tolerate the inevitable disadvantages, then, ultimately, we will confront the potentially devastating prospect of eliminating all of the benefits that risk-taking behavior provides to our society. Advances of our society and of our economy would thus falter.

In the final analysis, the ultimate goal of all of us is to give ongoing life to the noble virtues of that lady who symbolizes our Nation's system of justice. Yes, the Statue of Justice, armed with the knowledge of the rules and standards, and dedicated to the ongoing enforcement of them, blinded, as she is, to the personal condition of the litigants before her, must, once again, become the ideal for which we all strive.

## RCA'S AEGIS PROGRAM HAILED A SUCCESS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. FLORIO. Mr. Speaker, I would like to draw the attention of my colleagues to an article which appeared in the April edition of Government Executive magazine. The article describes one of the most successful defense programs which this country has—the Aegis fleet defense system produced by RCA.

RCA's Missile and Surface Radar Division at Moorestown, NJ, is the center for the RCA Aegis production system. Many hundreds of residents of the First Congressional District which I have the privilege of representing are employed in the RCA facilities at Moorestown. Those people are responsible for the excellence and success of the Aegis program.

The article describes in detail the success of the Aegis system and the pride which the Navy has in the system. I should add that I, too, am proud of the constituents of the First District who are the main reason for the success of Aegis.

### AEGIS GUIDED MISSILE SYSTEM: HOW EMPHASIS ON QUALITY CUT NAVY'S COST

#### HIGHLIGHTS

When Navy started development of its Aegis fleet-defense system, it needed state-of-the-art technology that had to work every time at sea as reliably as the telephone.

To achieve those seemingly incompatible goals, Navy stressed hard on contractor product quality, not only in "hands on" labor but among the support management and workers.

One result: Spares utilization on Aegis is on a ratio of three to one better than predicted simply because, "The sailors on Aegis ships are very proud to be there."

When the first Aegis guided missile cruiser, the *Ticonderoga*, was commissioned in 1983, Defense Secretary Caspar Weinberger said it "is probably the most sophisticated warship in the world . . . will serve as the eyes and ears of an entire carrier battle group . . . able to detect, sort out and engage hundreds of targets quickly and accurately." Even though she went through the most rigorous shakedown of any Navy ship ever, she went on operational deployment just nine months after commissioning. "A record," claimed Rear Admiral Donald Roane, the program manager at the time.



(He also had been deputy program manager once before during *Aegis* development.)

Another significant statistic: in spite of the fact that *Aegis* is a highly sophisticated air defense system with more than six million parts, the spares utilization ratio is three-to-one better than originally predicted. The primary reason, says John Rittenhouse, RCA Executive Vice President, Aerospace and Defense, is "morale; Sailors on *Aegis* ships are very proud to be there."

Rittenhouse has some other, equally informative numbers: On the first cruiser, hull number 47, "Trouble-Failure" reports totalled 1800; on hull number 54, less than 800; Defects per manhour on the AN/SPY-1A (radar signal processor) have dropped from .5 to nearly zero, reducing unit cost 25%; a change from hand soldering to laser soldering on the SPY-1B shot the yield rate up from 48% to 98%, saving \$500,000 per ship.

The result of this and almost endless other examples of a strong program to put quality in at the outset is that the system cost \$145 million in 1978 when the first production contract was let. Because of a program sag in 1979, requiring additional re-start cost in 1980, the cost in 1980 was \$153 million (\$128 million in 1978 dollars). A stable program for the next three years dropped the price to \$99 million in 1983. (Dual sourcing since on both *Aegis* and ship construction—with attendant learning costs—plus threatened spending stretchouts may shove the price back up again.)

#### QUALITY AT OUTSET

A major reason, indeed in his mind the major one, Rittenhouse told an ANSI (American National Standards Institute) audience is an "*Aegis* Excellence" quality program at RCA's Missile and Surface Radar Division in Moorestown, N.J. involving more than 50% of the division's workforce in 17 active "work centers." Says Rittenhouse, "Much as I'd like to, I can't lay claim to the program. It was inspired by the customer's program manager and the Navy has worked very closely with us in implementing it."

"It was designed with the idea that a total commitment to quality was needed to meet an engineering challenge as formidable as *Aegis*. (Besides the six million parts RCA has to integrate, the command unit runs on 400,000 lines of real-time computer code which, in the mid-60's, 'experts' said couldn't be done.) And management leadership was recognized as the key to making that commitment successful." (See "Rittenhouse Rules" herewith.)

In 1979, when the rejection rate on material purchased from suppliers was over nine per cent, RCA MSRD contacted all its suppliers; conducted supplier-awareness seminars with participation by the Navy; established a "Quality Hotline;" and instituted a supplier-awards program. Those suppliers who continued to deliver poor quality were "counselled," says Rittenhouse, and if the reject rate still didn't go down, they were told they would be replaced. Between awards and tough talk, the reject rate is now down to less than four per cent, saving RCA about \$1.5 million.

"This is more than just a ritual," says Roane. "A \$1 million award is not unusual." In short, the commitment has been to "engineering excellence" by the Navy, the prime contractor, the major subcontractors. The *Aegis* program manager and his senior-level people sit down with senior people at the contractor's sites; review the program for several hours, listening to ideas from naval engineers; reporting the good spots and the

hard ones by, as Roane puts it, "relatively mature, senior witnesses."

Then, on the award-free question, the company senior official is excused when Navy people take a vote on what grade is to be given. One point up or down in the grading can mean \$10,000. Says Roane, "The encouragement that buys is terrific. The project manager makes the final decision. There's not much complaint about the 'up's' but even when it goes down, that hasn't resulted in bad blood. We've dealt with some very superior people in the companies."

Sums up Rittenhouse, "I think the only quality standard that makes any sense today is the ultimate standard: perfection. That's difficult for many of us to swallow because we're accustomed to accepting levels of quality well short of that. We do 90% work in school and get an 'A.' Unfortunately, in processes involving hundreds, even thousands, of subprocesses, that 90% theory springs leaks."

#### LOWER REJECT RATES

As a simple example, he points out, if a manufacturing and assembly process has only ten subprocesses, and, for each, the probability of success is 90%, the total process has only a 35% probability of a defect-free output, "an 'F' in anybody's book. But if we can increase the probability of success in each subprocess by only five percent, our overall probability of success jumps to 60%. That's still not great but note that a mere five percent improvement in the subprocesses has nearly doubled our final yield. So, to meet the requirement for the total process, we must strive for perfection in each subprocess."

#### LOOKING FOR PERFECTION

Also, he notes, "In the past, too many people believed the only way to increase quality was to add inspectors and vigorously screen out rejects and defects. The real results of that have turned out to be higher costs and only minimal improvements in quality. A much more effective quality methodology is *prevention*. If we can find a way to *manage* more effectively and efficiently, we can prevent errors instead of trying to fix them."

That philosophy has been followed by the Navy's *Aegis* program office as well. In 1977, shipbuilding management was made part of the *Aegis* program office, the first time since the *Polaris* Fleet Ballistic Missile Submarine program Navy had gone that far in integrating management of shipbuilders and weapons builders. Further, another unique move, the *Aegis* office has a lifetime commitment to in-service support of the ships.

#### A PROVEN SYSTEM

Basically, Navy is building as complete a ship as possible when it's first being constructed, not—as often done in the past—launching the hull and then bolting things onto it. Further, design changes have been controlled through the budget, another program-management innovation. "You have to control changes," says Roane, "or they'll run away with you."

Another wrinkle that has produced both quality increase and cost reduction has been a rigorous testing program. For instance, the first *Aegis* operational system went through 100,000 hours of testing before it was even at sea on the *Ticonderoga*. "In the military world," says Roane, "that's the equivalent of three million miles of road testing a car in the automotive world." And, as the Navy's VLS (Vertical Launch System, see April, 1985 *Government Executive*, p. 24) would also do, much of that testing was on a

real-world ship platform, not in a sterilized laboratory.

Thus, they learned both technical problems and producibility problems; and, just as importantly, they found them early.

#### FIX NOW—NOT LATER

"This is the largest, most complex tactical missile system in the world," notes Roane. "What you do is build a little, test a little, fix a little. We had to go to a certain level deliberately, ahead of time, and test. If that was satisfactory, you go on; if not, you fix it right now. It's a lot easier to fix the boards and nails in a house when you're building rather than tear it apart and fix it later."

One result of all that showed up in the operational test at sea. "The test rules were simple," says Roane. "Assume you are in a hostile environment so all targets were considered expendable. Engage and destroy. And the rule, 'if the fuze had worked we would have destroyed . . . ' did not apply. We actually did the hits." Results: 10 out of 11 drones (simulating aircraft, cruise- and other missile targets) destroyed.

A proper definition on acceptable quality, says Rittenhouse, is a product that meets the customer's requirements, doesn't fall short, doesn't exceed them. "On duty off the coast of Lebanon in 1983. 'Tico' (*Ticonderoga*) spent 157 days at sea. Not once was the *Aegis* system called upon that it did not perform, and there were no contractor personnel on board." (Crew training, both at a Navy facility next door to RCA's Moorestown plant and on shipboard, starts several months before each new ship is to be commissioned.) Because we and the Navy made the quality commitment, the United States got a quality product, with each ship produced at successively lower cost to the taxpayer."

With the computer-controlled radar as heart of the system, *Aegis* can provide overall battle management and coordination for the entire carrier battle group; fire surface-to-air, surface-to-surface missiles, automatic anti-aircraft guns, five-inch deck guns, rocket-launched torpedoes and depth charges; fire more rapidly and control in-flight more missiles than any other shipboard system anywhere. The weapon systems are supplemented by sonar, electronic counter-measures, decoys and passive detection to help detect, classify and confuse enemy units and weapons.

About 7-8 years ago, says Roane, "You heard complaints that *Aegis* was demanding too much of Navy resources. What turned that attitude around is the product itself—coupled with the doggedness of my predecessor, specifically Rear Admiral Wayne Meyer." (What got *Government Executive* trailing this story was one of our editorial advisors, retired Navy Vice Admiral "Chick" Hayward telling us of a war game in which he as the Soviet navy task force admiral "went up against an *Aegis*-equipped battle group." Said he, "They were firing 18 missiles at a crack at me. I lost all my airplanes and they didn't lose nothin'. In fact the only problem I can see they might have is running out of bullets.")

Interestingly enough, how Navy handles multiple target identification, tracking and fire control is, they say, applicable to the SDI (Space Defense Initiative). And, as more *Aegis* ships move into the fleet with the ability to talk between ships as they can now, a single "command post" (either of say two ships) will be able to handle fire control for both indirectly.

## THE BIGGEST ADVANTAGE

Which brings up the final advantage *Aegis* has had over many other military weapon-system developments: from the outset, both the program office and the contractors had a very well-defined set of requirements both of the operational capability needed and the operating environment. The "engineering" specification, paraphrased here: "Assume you will not have time to engage enemy targets one at a time; assume you can't afford to let just one radar find targets and transmit the data; detect, engage and fire at all targets while the ship may be in as much as a 30-degree roll and 10/degree pitch." Though classified, given the lethality of just one attacking cruise missile, the sought-after kill rate was probably very high. Though they can't say by how much, the smiles on *Aegis* ship captains' faces, when asked, and the morale of the *Aegis* sailors, suggests whatever above 90% the performance rate is supposed to be, they've exceeded by a considerable margin.

## RITTENHOUSE RULES

Norm Augustine of Martin-Marietta has written three books so far of *Augustine's Laws*, a combination of humorous and biting observations on how businesses, especially government-oriented businesses, and governmental institutions should and should not be run. Another possible candidate for the book-writing business is John Rittenhouse, executive vice president of RCA's Aerospace and Defense group. Some sample Rittenhouse Rules-and-Notions:

"If my contracts guy came in to me and said he has just re-competed every one of our subcontractors and will do that again next year, I would ask him why on earth he did that—just before I fired him."

"If a commercial business is running in the red, usually the first things cut are overhead and indirect expense; new product development and manufacturing are the last things cut back. In Government, they cut back on products and increase the indirect support structure."

"Improving quality and productivity must be the first objective of industry, especially defense industry; and 80% of the problem, and the opportunity, must come from management. Yet, the Harvard Business School thesis is management should tell workers, 'If I have to tell you what to do, I'll fire you and get somebody else.' That's the worst thing to tell management about quality."

"The first step toward nationalization of defense industry will be when Government starts to tell us how much it will allow against contracts for travel and per diem expenses. I don't have any leverage on hotels except in Cherry Hill (New Jersey) and my people already live there."

"We can't come out publicly with a code of Business Ethics—though most of us have them—because it would imply, in today's oppressive environment, that we didn't have any before."

"The way to kill off technology innovation and product quality is to increase the tempo of price competition."

"Don't set productivity-improvement goals too high on Government contracts or their auditors will make you guarantee that in your forward pricing agreement; that means you will not be allowed to fail."

"In industry, succession to the presidency can come from the operating ranks, the marketing ranks and, in some instances, the financial community. In Defense, it should not be taken for granted that a program or

procurement manager can not advance to the Chief-of-Staff types of billets."

"Perhaps we have failed to educate our Congress in fundamental quality concepts. Setting work-measurement standards on individuals simply is not compatible with enlightened quality-conscious management, automation, cross training, work sharing. We learned long ago that we shouldn't delude ourselves into believing work-management standards are a significant factor in competing with Japan."

## BALTIMORE TO BE THE SITE FOR NINTH NATIONAL WORKSHOP ON CHRISTIAN-JEWISH RELATIONS

HON. BARBARA A. MIKULSKI

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Ms. MIKULSKI. Mr. Speaker, for 3 days later this month, my home city of Baltimore will be the site of a very important ecumenical conference—the ninth workshop on Christian-Jewish relations.

This workshop will bring together many of the world's greatest religious scholars who will examine and discuss the history of Christian-Jewish relations.

I am pleased that this workshop is being planned, and I am especially pleased it is being held this year in Baltimore. Among the main organizers of the workshop are two men who I am proud to have as constituents and friends: P. Francis Murphy, auxiliary bishop of Baltimore, and Mark G. Loeb, senior rabbi of the Beth El congregation in Pikesville.

On April 27, Bishop Murphy and Rabbi Loeb had articles published in the *Baltimore Sun* offering their individual perspectives on this ecumenical workshop.

These two religious leaders are hopeful that the National Workshop on Christian-Jewish Relations will not be an end in itself, but will be another step in the path toward reconciliation between Christians and Jews.

It's a hope that I very much share with Bishop Murphy and Rabbi Loeb. I hope my colleagues will find their comments interesting and useful.

[From The *Baltimore Sun*, Apr. 27, 1986]

## JEWS AND CHRISTIANS AND FAITH

(By Mark G. Loeb)

When Pope John Paul II made his historic visit to the synagogue on the Lungotevere Cenci by the Tiber River in Rome, he said that he had come to acknowledge "centuries of mutual misunderstanding" and to seek pathways of reconciliation between the Church and the Jewish people. This unprecedented visit to a Jewish sanctuary by the leader of the Catholic community involved not only an admission of the historic enmity that has divided Jews and Christians, but also a recognition that the Christian faith had itself been scarred by the checkered relationship with Judaism.

Pope John Paul II, more than any other modern pope, knew this from personal experience. For the future Cardinal of Cracow, Poland, had witnessed the Holocaust, literally smelling the fumes, from the crematoria of Auschwitz. Perhaps it was then that he realized the demonic power of anti-Semitism, and resolved to do his part to advance

the cause of interfaith dialogue for the purpose of overcoming centuries of hatred and pain. It is clear that he knew that while the Holocaust was a Jewish tragedy, it was also a Christian crisis. The annihilation of 6,000,000 Jews happened to take place, after all, in Christian countries, and was perpetrated by members of Christian churches.

It is accordingly, no accident that the ecumenical dialogue movement has become an urgent religious imperative since World War II. And it is also no surprise that it is in America that it has reached its fullest development. For America is a land of religious pluralism and toleration. It is a nation where no formal religious orthodoxy of establishment has been allowed to take root. It is a nation in which many different groups and faiths have had to acknowledge each other's legitimacy. Here dialogue could take place—and here it does, as we in Baltimore shall see at the Ninth National Christian-Jewish Workshop.

But the dialogue movement has not only been prompted by the Holocaust. It has also been stimulated by religious scholars who, in our time, have begun to uncover the Jewish origins of the church, the true nature of the Jewish-Christian split in the time of Jesus, the proper contextualization of the Gospels, the Jewish dimensions of Jesus's life and thought, and the common threads of Judaism and Christianity before the two became fully separate. With such advances in knowledge in hand, a genuine movement of mutual seeking for truth and reconciliation became possible.

What, then, should the ecumenical dialogue movement now seek to achieve? Through joint study and discussion by lay and religious people from both sides of the dialogue, those stories in Christian scripture which have been misused and misinterpreted for tendentious and polemical ends in the past can be recovered in their true meaning and context, thereby offering opportunities for the reduction of prejudice and for the enactment of Christian faith. In addition, both Jews and Christians can learn about Jesus's ministry and his place in the world in which he emerged. Both Jews and Christians can learn about the development of Judaism in the centuries subsequent to the rise of Christianity, as well as about the Jewish foundations of the Christian faith.

Such mutual understanding will, in the long run of time, serve to eliminate intergroup tension and will also eradicate even unconscious religious triumphalism. But it will take a very long time. The curse of centuries will not be washed away in a decade. And, yet, we must begin. But we must do so with a total respect for each other's integrity, with the understanding that we are in dialogue to learn to share but not to coerce or to proselytize, and with the belief that God's revelation to humankind is multi-faceted and authentic in many directions. The National Christian-Jewish Workshop here in Baltimore is an occasion of the spirit. Pope John Paul II said in Rome at the Tiber synagogue that we need to recall "that which most profoundly unites and gathers us together." Amen, and Amen.

[From The *Baltimore Sun*, Apr. 27, 1986]

## A RE-CONSIDERATION OF SOUL

(By P. Francis Murphy)

We've come a long way since June 13, 1960. On that day, Jules Isaac, a French historian and a Jew, presented Pope John XXIII with a lengthy memorandum on the sorry history of Catholic teaching about



and practices toward Jews. When a National Workshop of Christian-Jewish relations meets in Baltimore next month the official Catholic teaching toward our Jewish brothers and sisters will be far different than in 1960. For this, we can thank Mr. Isaac and, indeed, our own late Lawrence Cardinal Shehan.

Mr. Isaac was petitioning the Pope to create a papal committee to study the historical relationship between Catholics and Jews, an idea accepted by Pope John, who appointed Cardinal Shehan to the committee. The committee pressed for a change in church teaching at the Second Vatican Council. Resistance was enormous, but Cardinal Shehan, prompted by his own sense of justice and strengthened by the support of the Baltimore Jewish community, argued strenuously for the changes. He—and Catholics and Jews everywhere—won.

The Council committed the church to an irrevocable action, a "re-consideration of soul"—a transformation in teaching that, among other things, said:

The Christian faith cannot separate itself from its Jewish ancestry without forfeiting its own identity. Christianity is rooted historically and theologically in the Jewish faith. The Hebrew scriptures are to be regarded as the Word of God along with the New Testament.

Christians have to learn more about Jesus as a Jew. Jesus saw himself in continuity with the prophetic tradition of Israel and taught as a rabbi of his time. His teaching is only comprehensible in the context of 1st-century Judaism.

Jewish liturgy influenced Christian worship, especially the Eucharist. The first Christians were all Jews, and along with their new faith in Christ, continued to observe the practices of Jewish law. If the split with the synagogue was required by the radical faith in Jesus and by the Gentile mission, it was never as complete as people thought.

God's covenant with the Jewish people continues along with the covenant in Christ. The Jewish faith does not continue as an anachronism, but as a living fidelity to God's revelation in Moses and the prophets, which has never been revoked. By dialogue, both Christians and Jews are led further along their own paths by God's grace.

The church repudiated the charge that all Jewish people are guilty of the death of Jesus. "Neither all Jews indiscriminately at that time, nor Jews today, can be charged with the crimes committed during the passion of Jesus."

Christians must acknowledge the sinfulness of anti-Semitism and its evil effects in history, culminating in the obscene horror of the Holocaust under the Nazis.

In November of 1985, Cardinal Jan Willebrands, President of the Secretariat for Promoting Christian Unity, told the worldwide synod of bishops that "Vatican II introduced a real, almost miraculous conversion in the attitudes of the church and Catholics toward the Jewish people." When viewed from the perspective of the early 1960's, this "re-consideration of soul" represents a milestone on the path toward reconciliation between Christians and Jews. The National Workshops are an important part of the continuation of the journey.

I hope the "miracle" of reconciliation will continue. The Ninth National Workshop should inspire all of us in the Baltimore community to renew our commitment to the dialogue. My prayer is that, building on friendship and trust, Christians and Jews

can face the future with courage, united in our belief in the same God and our ability to confront honestly our differences.

### THE SEVENTH PILLAR OF SOUND MONEY

HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. DANNEMEYER. Mr. Speaker, the seventh pillar of sound money and credit is the principle of liquidity, which relates to the money power of the people. Under our Constitution, the power to issue money is reserved to the people. Money can come into being in either one of two ways: First, people taking gold or silver to the mint and convert it into coins of the realm; Second, people producing useful goods and offering bills on these goods for discount. The money power reserved for the people by our Constitution has been taken away or otherwise undermined by the Government and the banks, and this is the root cause of our monetary and fiscal problems. Inflation and deflation take turn to devastate the economy.

The banks in this country have become illiquid; that is, they are unable to meet larger than usual cash withdrawal demands through asset liquidation, except at the price of inflicting heavy losses upon themselves. To help them out of their predicament, the Government should return to the principles of sound money and credit. The sooner the better.

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### THE SEVENTH PILLAR OF SOUND MONEY AND CREDIT: THE PRINCIPLE OF LIQUIDITY

(By Antal E. Fekete)

#### A VENETIAN TALE

Once upon a time, a wealthy merchant died in Venice. He was survived by his widow and three sons. His will listed a fortune consisting of 1000 gold ducats; a wheat farm; a flour mill (both in Lombardy); and a bakery in Venice; each worth 1000 ducats. The old man's will ordered his whole fortune, worth 4000 ducats, to be divided equally between the four survivors. Another clause required that, in case of any disagreement between the survivors, the farm, the mill, and the bakery should be sold and the proceeds divided equally.

The eldest son wanted the farm, the middle son the mill, the youngest son the bakery, while the widow was satisfied to have the gold. The trouble was that no one knew where to find the gold mentioned in the will. Venice was full of the news that a spectacular lawsuit was in the offing, each survivor suing every other for embezzlement.

The Doge was a wise old man, who did not want to hear the survivors accuse each other. So when they appeared before him and sued for justice, he asked the eldest son what kind of crop he expected to bring in. "At least 2000 bushels", was the answer. The Doge turned to the middle son and asked how much flour would 2000 bushels

of wheat grind into. "At least 80,000 pounds", answered the middle son. Then the Doge asked the youngest son how much bread he can sell out of 80,000 pounds of flour. "At least 1000 ducats' worth", the youngest son answered.

At this point the Doge turned to the widow and said to her: "There is your 1000 gold ducats. You just have to help each other until the wheat matures into flour, the flour matures into bread, and the bread matures into gold."

As the Doge dismissed them, he said to the three sons: "According to the proverb, not all that glitters is gold. Your late father has not shared with you the last measure of his wisdom, which is this: A lot of things don't glitter at all, yet they may be well on their way to ripening into gold in your busy hands."

#### SELF-LIQUIDATING PAPER

Just as wheat ripens into gold by the time the flour is baked into bread, so does every other merchandise, at the time it is offered for sale to the ultimate, cash-paying customer. We may express this ripening process by saying that, as the semifinished goods become finished goods, they also become "liquid".

When a commercial bank makes a loan to a producer or distributor, the commercial paper that arises becomes the bank's asset. Commercial paper is considered liquid, if the underlying merchandise is liquid. Such paper is also called "self-liquidating", because at the time the merchandise ripens into gold, the gold coin of the consumer will liquidate the loan. By contract, a loan to finance the construction of a building is not liquid, let alone self-liquidating, because it may take decades before the brick and mortar sunk into the building can amortize the construction costs. Further by contrast, a loan for carrying a speculative storage of goods is not liquid, because the goods are not moving, and they won't be sold before the bank loan matures. The financing of such slowly maturing projects should not be in the purview of the commercial banks; they should be left to the investment bank which uses actual savings for the purpose, as we shall see in the Eight Pillar.

#### PROPENSITY TO CONSUME

Commercial banks do not depend on saved funds for their operation, as do investment banks. They finance trade by relying on the liquidity of maturing merchandise. Commercial paper can and does circulate in the sense that a second bank will always be glad to acquire it as an earning asset if the first bank needs cash in a hurry.

Commercial paper is an earning asset because it is bought and sold at a discount below face value, the amount of discount being proportional with the number of days to maturity. The discount rate is inversely related to the "propensity to consume": the greater this propensity, the lower is the discount rate, and vice versa. The commercial bank derives its profits from the fact that, while it has earning assets, it usually pays no return to its creditors on the corresponding liabilities (called bank deposits).

To summarize, whereas investment banking relies on the propensity of the people to save, commercial banking relies for its operation on the propensity of the people to consume. It is the propensity to consume that puts consumer goods on the move and makes commercial paper representing them liquid.

The highest quality commercial paper matures in 91 days or less. 91 days is just the

length of the seasons, and consumer demand and consumption patterns do change with the seasons. If a certain type of merchandise cannot be sold in less than 91 days, then it cannot be sold for another 365 days, before the same season of the year comes around once again.

The Principle of Liquidity asserts that the earning assets of the commercial banks must consist of self-liquidating paper drawn on consumer goods moving from the producers to the market, which will be sold to the ultimate cash-paying consumer in 91 days' time or sooner. Commercial banks must keep away from finance paper, or commercial paper drawn on slowly moving merchandise, mortgages, stocks, bonds, etc. None of these has the liquidity that would make them eligible as assets in the portfolio of commercial banks.

#### THE REAL BILLS DOCTRINE

As long as the commercial banks respect the Principle of Liquidity, they can't get into trouble, nor can the banking system as a whole. Should an individual bank experience unusually heavy cash withdrawals, it would find a ready market for its earning assets because other banks with excess cash would be happy to buy liquid assets. If the banking system as a whole experiences unusually heavy cash withdrawals, this can also be met without difficulty, as the assets of the banking system get more liquid with the passing of every day, and at least one-ninetieth of those assets mature into gold on each and every business day. The only scenario which would embarrass the commercial banks is the one in which the people stopped consuming altogether—but this is too far-fetched for serious consideration. Trouble only comes if banks yield to temptation, and get involved with slow paper.

We owe the Principle of Liquidity to the great 18th century Scottish thinker, the father of classical economics, Adam Smith. He was the first who expounded the "real bills doctrine", as this principle is also known, in his book *The Wealth of Nations*. He noticed that before the Bank of England opened a branch office in Manchester, commercial paper drawn on the rapidly moving merchandise in Lancashire circulated very much as banknotes would, under their own steam and on their own wings. They did circulate, because their liquidity was the highest, second only to that of the gold coin.

There is no way to make stocks, bonds, and mortgages to circulate on the pattern of the circulation of commercial paper, for lack of sufficient liquidity.

The banking system in the United States is not just illiquid, but is in an advanced state of petrification. Only a small part of bank assets could be liquidated on short notice without great losses. The commercial banks rely on the Federal Reserve to replenish their reserves daily, rain or shine. The assets of the Federal Reserve banks are not much better: they consist of government securities. In case of a run, the Federal Reserve would be in no position to meet the demand for cash through honest asset-liquidation, because it would break the bond market. The Fed would have to monetize the bad assets of the commercial banks, which would make its own position even less liquid. Therein lies a great danger.

We may have to pay a high price for our contemptuous disregard for the Principle of Liquidity.

## THE NEED FOR H.R. 4287: THE CATASTROPHIC HEALTH INSURANCE ACT OF 1986: MEDICARE PART C

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. PEPPER. Mr. Speaker, you may know that on February 28, 1986, I introduced H.R. 4287, "Medicare Part C: The Catastrophic Health Insurance Act of 1986," to provide for voluntary comprehensive and catastrophic health care coverage to our Nation's 31 million Medicare beneficiaries. I was most pleased to be joined by my distinguished colleagues the Honorable EDWARD ROYBAL, chairman of the House Select Committee on Aging, along with other members of the select committee, the Honorable MARILYN LLOYD, the Honorable BARNEY FRANK and the Honorable HARRY REID in introducing this important and timely measure.

For the last 4 years, the Subcommittee on Health and Long-Term Care, which I have the privilege to chair, has convened dozens of hearings and received thousands of pages of witness testimony in Washington, DC, and across the country regarding the need for a Federal response to ensure the solvency and to improve the benefit structure of our Medicare Program.

What is clear is that Medicare has been a Godsend to seniors and their families. While no one would suggest that this vital program be eliminated, all agree that major change is warranted. I am pleased to report that the Honorable Otis Bowen, the newly appointed Secretary of HHS made his first congressional appearance before my subcommittee on February 19, 1986—outlining the administration's recognition of growing dissatisfaction with Medicare shrinking benefit package. Unfortunately, many fear the administration may propose a minor reform at an increased cost to elders. I am hopeful this will not and need not be the case—and that the Congress will seize upon the growing bipartisan sentiment for comprehensive health care reform and bring about an improved Medicare Program with comprehensive benefits at no additional cost to the Government or consumer—simply by better management of our health care dollar.

I believe that H.R. 4287, "Medicare Part C: Catastrophic Health Insurance Act of 1986," can accomplish that noble objective.

#### WHAT WOULD THE NEW MEDICARE PART C OFFER SENIORS?

Participation in "Medicare part C" (hereinafter referred to as "part C") would be voluntary. Those eligible for part A of Medicare (hospital services) and part B of Medicare (doctor's services) would be eligible for enrollment under the new part C.

Part C would provide senior citizens with comprehensive catastrophic health care coverage currently unavailable under private or public insurance coverage. Services would include the elimination of current coinsurance and deductible requirements under parts A and B of Medicare. In addition, part C would provide: home and community-based services for the chronically ill; complete skilled nursing

facility and intermediate care facility; eye care; hearing care, dental care; and biannual preventive physician visits.

#### HOW WOULD THESE SERVICES UNDER PART C, BE PROVIDED?

The new part "C" would be provided through an innovative approach to health care delivery and payment. Part C incorporates the best of the social health maintenance organization [SHMO] and preferred provider organization [PPO] models along with a strong Federal quality assurance system. "Eligible organizations" (doctor groups, hospitals, HMO's, PPO's, insurance companies and others) would be allowed to contract with Medicare to provide the comprehensive package of benefits outlined above as well as the standard covered services under parts A and B. To be eligible for a part C contract, organizations would have to meet stringent requirements related to access to care, quality of care, and financial viability.

In return for providing this full range of services, part C contract holders would receive a set capitated rate per beneficiary based on the cost of Medicare of providing care to the average beneficiary in a particular area (like that now paid to HMO's). In 1986, this capitated rate would be approximately \$3,200 per beneficiary.

Direct health care providers (doctors, dentists, home health agencies, . . .) would be paid set fees negotiated by the organization awarded the part C contract. This may be done either on a fee-for-service or capitated basis. Thus health care professionals would be guaranteed payment of set fees with the option of maintaining a fee-for-service payment system. These negotiated fees must be accepted as payment in full for services provided, eliminating all current Medicare copayments and deductibles for seniors participating in part C.

#### HOW WOULD SENIOR CITIZENS RECEIVE PART C SERVICES?

Any Medicare beneficiary eligible for part A and electing part B coverage will have the option of electing part C. Once the beneficiary has elected part C, he or she will select from the organizations in their area which hold part C contracts (as described above). The beneficiary then would receive all needed services from any direct care provider under contract with their selected organization. Once part "C" has been fully implemented, virtually all health care providers will have contracts with these organizations, and those seniors electing part C would be allowed full freedom of choice among doctors, hospitals, long-term care providers and others. There would be an "open enrollment" period annually at which time beneficiaries could change their selection of preferred providers.

#### HOW WOULD PART "C" BE FINANCED?

Part "C" would not be funded by new Federal expenditures, but by more sensible and efficient management of current payments from four major sources: (1) Current Medicare payments under parts A and B; (2) seniors' payments for private Medigap policies; (3) seniors' Medicare part B premiums; and, (4) the Federal share of Medicaid expenditures for long-term care for those States which choose to "buy in" to part "C".



Part "C" services would be tied to the services currently available under parts A and B of Medicare. Therefore, the first source of part C funding would be the amount Medicare pays now for services provided under parts A & B (\$2,400 was spent on average in 1986 for each Medicare beneficiary).

Second, the vast majority of seniors now purchase private supplemental insurance to cover the costs of required Medicare copayments and deductibles. The average older American spends around \$600 per year for a supplemental insurance policy. By electing the new part "C" of Medicare, seniors will eliminate the need to secure supplemental insurance. Seniors would instead remit \$600, in the form of a monthly premium to the Federal Government to pay for part "C" coverage.

Third, Medicare beneficiaries now pay \$15.50 a month in premiums for coverage under part B of Medicare (physicians' services). Part "C" would continue this premium which adjusts annually.

Medicare beneficiaries electing part "C" coverage would pay a total annual premium of around \$800 for comprehensive health care—less than half of what they are now paying on average for health care annually. These premiums could not, however, exceed 20 percent of a beneficiary's annual gross income (earned and unearned). Payments to make up the difference in premium payments for these individuals for whom premiums would exceed 20 percent of gross income, would come from funds generated by delaying eligibility for part C covered services for 1 month after enrollment—a standard practice among private insurers.

Federal and State expenditures for nursing home care through the Medicaid Program total about \$20 billion annually. States would be allowed to purchase part "C" coverage for Medicaid eligible beneficiaries at a rate equal to 90 percent of their projected average Medicaid payments for these individuals in the following year. Since State expenditures for elderly health care represent the largest and fastest growing segments of their Medicaid budgets, this should be a very attractive option for most States.

#### HOW WOULD SENIOR CITIZENS BE INVOLVED IN ASSURING HIGH QUALITY CARE?

H.R. 4287 gives seniors a strong role in reviewing the quality of care provided. It mandates the establishment of local part C community advisory and appeals councils. These councils would be strictly independent of those responsible for providing part C services and would be made up of senior citizens from the community as well as independent medical experts. Councils would hear all appeals directly and would have vested authority to reverse decisions made by the provider. Councils would also contribute to an annual Federal performance review to guarantee that contractees are providing high quality care to all part C beneficiaries.

#### HOW CAN WE BE SURE THAT PART C WOULD PAY FOR ITSELF—NOW AND IN THE FUTURE?

H.R. 4287 strictly prohibits new Federal payments to provide funding for the new Medicare part C—now and in the future. It prohibits payments for part C from exceeding a set percentage of the average costs for providing current part A and B services. It further speci-

fies that the entirety of these additional funds must come from beneficiary contributions (\$12 billion, approximately), funds generated by imposing the 1 month waiting period for part C benefits (estimated at about \$2 billion), and State and Federal payments for long-term care provided to Medicaid eligible elderly in those States which choose to "buy in" to part C (\$16 billion if all States "buy in").

There is a pressing need for comprehensive Medicare reform. H.R. 4287, "Medicare Part C: The Catastrophic Health Insurance Act of 1986," provides for this reform, joining the best of public and private sector ideas and initiatives. I would therefore strongly urge my colleagues to join me in support of this timely and most important legislation.

### NEW YORK POST EXPOSES SOVIET SUB ACCIDENTS

#### HON. JIM COURTER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. COURTER. Mr. Speaker, the following article from the New York Post is a fascinating and horrifying compilation of numerous Soviet nuclear submarine accidents which have been kept under wraps for years by both the United States and Soviet governments. This information is made even more chilling by the recent reactor accident at Chernobyl.

The Soviet naval nuclear reactor program dwarfs their civilian nuclear power program and, because of the cramped submarine quarters and the Soviet disregard for crew safety, it presents numerous opportunities for accidents involving both reactors and nuclear weapons.

According to the article, submarines have been disabled, reactors have melted down, nuclear weapons have ruptured and many unfortunate Soviet sailors may have lost their lives as a result. These dangers are apparently so commonplace that Soviet seamen reportedly receive special pay and medical benefits as compensation for serving on nuclear-powered vessels. What a grim and depressing revelation, coming so hard on the heels of the Chernobyl disaster.

The article follows:

[From the New York Post, May 1-2, 1986]

#### REPORTS BARE RED PLAGUE OF NUCLEAR ACCIDENTS

(By David E. Kaplan)

The radiation accident at the Chernobyl power plant near Kiev is not the Soviet Union's first nuclear meltdown.

U.S. Navy and CIA documents obtained under the Freedom of Information Act indicate there have been at least 12 serious radiation accidents in the Soviet Union's atomic-powered navy—including the first nuclear meltdown at sea.

Most nuclear reactors in the Soviet Union—as in the U.S.—are used as propulsion plants aboard nuclear submarines, not for civilian power stations.

The Soviets have an estimated 356 reactors aboard 188 ships and submarines, compared to some 50 civilian reactors.

Although the naval reactors may be as small as one-tenth the size of civilian plants,

nuclear energy experts warn that they are potentially very dangerous.

Rumors of serious nuclear accidents and widespread radiation exposure in the Soviet navy have persisted for years, but only the area that was contaminated or where it occurred.

It is speculated that the Lenin, the Soviet Union's first nuclear icebreaker, was in Arctic waters at the time.

A second meltdown is reported to have occurred aboard a prototype "Alfa"-class submarine in the Barents Sea in the late 1970s.

That accident also is believed to have caused many casualties, although no documentation of the event is available.

The Alfa-class uses liquid sodium as a heat transfer agent in its reactors instead of pressurized water.

Pressurized water is used in most other Soviet nuclear subs and all those in the U.S. fleet.

The U.S. Navy abandoned its use of the highly-corrosive sodium more than 25 years ago when it experienced problems aboard the second American nuclear sub, the Seawolf.

Other serious radiation accidents in the Soviet navy have occurred, but virtually nothing is known about their environmental effects.

Most striking is a set of CIA intelligence briefs recently released to the Center for Investigative Reporting.

The documents, mostly cables and reports prepared under the CIA's Directorates of Intelligence and Operations, provide confirmation of the first reactor meltdown at sea.

The accident occurred in 1966 or 1967 aboard the icebreaker Lenin, and is believed to have rendered the ship too radioactive to use for several years.

According to one CIA report: "A nuclear reactor . . . melted in a sudden catastrophic accident. The exact number of casualties . . . was believed to be between 27 and 30 people."

A 1982 U.S. Navy report similarly referred to the Lenin as having "suffered a reactor casualty," and reported the ship's three reactors ultimately were replaced with two new ones.

Virtually nothing is known about the accident's environmental effects, how wide during the last few years have U.S. officials begun releasing information about them.

Secretary of the Navy John Lehman told reporters in 1982 that Soviet "standards of safety—and crew safety—are far lower than ours in nuclear-powered plants."

"We know there have been some catastrophic health-impairment incidents. We know there are hairless sailors in old soldiers' homes," he added.

Loss of hair is a common symptom of radiation sickness.

Since Lehman's statements, the Navy and the CIA have quietly released reports documenting a series of major nuclear accidents involving the Soviet navy.

Overall, the Soviet have had at least 12 major nuclear accidents at sea, including the loss of three submarines and several hundred men.

Among those accidents:

In late February 1982, a Soviet ballistic missile sub "was sighted surfaced in the North Atlantic off the coast of Newfoundland."

According to a U.S. Navy report: "This unit had apparently suffered a serious nuclear propulsion casualty, which resulted in the loss of all power . . . and she was towed

back to her home base. Indications are that several deaths occurred.

In early September 1981, a sudden series of powerful shocks jolted a Soviet sub in the Baltic Sea. A rupture apparently developed in the sub's nuclear reactor system, and leaking radiation began to contaminate crew members.

As an emergency measure, the irradiated sailors were locked in their compartments, where they remained for the two days it took to tow the crippled sub back to port.

Upon docking at Kaliningrad in Lithuania, the victims were evacuated and flown to a hospital in the Latvian city of Riga.

Within 14 days, the sailors began to shed their hair and rapidly lose weight. Many of them soon died of "severe radiation poisoning," according to a CIA report.

In August 1980, in a widely reported accident, a Soviet nuclear attack submarine suffered a serious fire off the coast of Okinawa.

According to the U.S. Navy: "All power was apparently lost . . . British personnel observed several bodies on the submarine's deck and other personnel receiving artificial respiration. At least nine men are believed to have died from a probable fire in the propulsion spaces."

In August 1978, a Soviet guided-missile submarine "was observed dead in the water near Cockall Bank northwest of Scotland," according to a U.S. Navy report.

"The unit had apparently lost power due to a propulsion system casualty. The exact causes . . . and number of possible casualties is unknown," the report said.

In December 1972, a nuclear weapon ruptured aboard a Soviet submarine patrolling off the eastern coast of North America.

According to CIA sources: The accident . . . involved nuclear radiation leakage from a nuclear torpedo."

As a safety measure, the doors to the torpedo room were immediately sealed, trapping crew members inside.

On April 11, 1970, a Soviet nuclear attack sub near Spain was apparently lost at sea due "to a casualty in the nuclear propulsion system," according to one U.S. Navy report.

"The Soviets have never admitted that this submarine was lost. The number of personnel lost . . . is also unknown," the report said.

In 1966, a radiation leak occurred in the reactor shielding of a nuclear sub near the Arctic naval base of Polyarnyy. Crewmen reportedly panicked when the submarine docked.

According to one CIA report: "Part of the crew was sent to a special center on an island near Murmansk where naval personnel with radiation sickness were sent to be treated . . . Those sent to the island did not come back."

CIA reports also provide unusual details about the well-publicized sinking of a submarine off the Faroe Islands near Iceland in 1970.

The interior of the submarine caught fire. When it spread toward the nuclear reactor the captain "gave orders for part of the crew to escape to the submarine tender [a small ship accompanying the sub]," the CIA reported.

"The political officer, who had not been ordered to leave the submarine, went on board the tender for fear of his life. The . . . executive officer and several crew members . . . refused and instead assisted the captain in fighting the fire," the reported said.

The fire could not be controlled, and the ship was deliberately scuttled with "great loss of life," according to the CIA.

So great are the dangers that one U.S. Navy report noted crewmen from Soviet nuclear ships received what is called "childless pay" and special treatment for radiation-related diseases.

"It's well known the Soviets put less emphasis on reactor plant safety than does the United States, whether it's military or civilian afloat or ashore," observed defense analyst, Norman Polmar, author of the authoritative "Guide to the Soviet Navy."

Soviet sailors reportedly even jest about their plight. "How do you tell a man is from the Northern Fleet?" goes one joke. Answer: "He glows in the dark."

## FREEDOM OF THE PRESS IN NICARAGUA

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. SHUMWAY. Mr. Speaker, once again the Washington Post has published a guest editorial detailing the censorship imposed on the press in Nicaragua by the Sandinista government. Horacio Ruiz, managing editor of *La Prensa*, makes some very valid points: Only democratic governments can support freedom of the press. A free press would equal a death sentence for the repressive Sandinista regime. I commend the article to my colleagues' attention.

### NICARAGUA: WHAT CENSORSHIP IS REALLY LIKE

(By Horacio Ruiz)

MANAGUA.—On the day in March 1982 that the Sandinista government declared a state of emergency in Nicaragua, the official censor of the Sandinista government, Capt. Nelba Blandon, telephoned the editors of *La Prensa* and called them to an urgent meeting. When they arrived at her office, she informed them of the imposition of total censorship to protect the security of the state and to defend the popular Sandinista revolution against the aggression of "gringo imperialism." This meant, in effect, the censorship of ideology.

With these few words the censor announced that the intentions of the government were not just to suppress certain articles that could harm its image or that could represent a security threat to the Sandinista state, but to suppress the way of thinking of the editors who plan, produce and select the news content of the paper and who direct its orientation. This ideological censorship reverberates like a distant echo and at times is lost in forgetfulness, but today, after four years of this Kafkaesque censorship and the mental exasperation that it creates, Blandon's words have been turned into the most refined kind of tyranny. Orwell's prophecy of what 1984 would be like was on the mark.

Blandon could be accommodating and even jovial at times, but at other times she could be insulting and belligerent. She has an inflated ego, which makes her feel that she must completely control the way people express themselves, think and give their opinions in the Nicaraguan press. She often speaks in the first person with the authority of a little dictator, full of haughtiness. "I cannot permit you to put this in the paper," she says. Sometimes she suggests substituting an official government statement for

something she has not allowed in the paper. She seems to be a fundamentally insecure person who depends on military-style orders of what should and should not be censored, how public figures should be referred to in stories and how headlines should be changed—to the point that the editor finds himself in such a state of mental confusion and exhaustion that he is forced to think like the censor.

Press censorship in Nicaragua undermines the whole reason for having newspapers in the first place. The day editor who puts out *La Prensa* must ignore the element of time or the urgency of informing the public or of printing the latest news. His principal concern must always be to arrive as early as possible at the censor's office, for the censor determines when the paper is ready to be published and distributed. If the editor has an important meeting with his staff, the process of censorship will start later and the paper will be delayed.

On days when nothing special happens and the articles that have been submitted to the censor are totally innocuous and merit no suppression, some articles are nevertheless rejected. This is to show that the paper must be censored every day to maintain the disciplinary measures imposed by the military.

Maintaining censorship is vital to the Sandinista regime. Only democratic governments endorsed by an ample popular base can support freedom of the press. This is the real reason, not the state of war, that there is censorship in Nicaragua.

Blandon abuses her responsibilities by persecuting and harming *La Prensa* in three ways: She hurts the paper financially by not letting it publish on time, which damages its sales on the streets. She deprives *La Prensa* of its own initiative and style and forces it to conform to that of the Sandinistas. And finally, by letting the Sandinistas print their own version of the news, little by little *La Prensa* is converted into a newspaper with little attraction.

None of these three things has been achieved to the government's satisfaction, because of the courage and determination of those who produce *La Prensa*. They continue to try to do their work as if the situation were normal. This is the only way they can keep themselves from falling under the total mental domination of the censor and the Ministry of the Interior.

The editor is constantly forced to insert the word "contra" in each place where the international wires use "rebels" or "anti-Sandinistas." The censor does not allow the use of these words because she considers them too respectable. The rebel commander Eden Pastora must be labeled "the traitor" or his name cannot appear in the paper. The name of the many-time world boxing champion Alexis Arguello has been forever forbidden to appear in *La Prensa* because of his known sympathy for the rebels. The picture and name of Cardinal Miguel Obando y Bravo, head of the Catholic Church in Nicaragua, have also been prohibited because he has denounced the persecution of the church by the Sandinista regime in the presence of the United Nations and the Organization of American States.

This obsession with the cardinal reached such a point that it led to the censoring of a story about last year's World Series. *La Prensa* took a poll to see which of the teams in the series—the St. Louis Cardinals or the Kansas City Royals—was more popular in Nicaragua. The result of the poll was titled, "Nicaraguans: The Cardinals Will Be the



Champions." The headline was censored: we were not allowed to print the words "cardinals" and "champions" together. We had to substitute "St. Louis" for "Cardinals."

After four years of censorship in Nicaragua, the daily life of La Prensa follows a suffocating routine in which all systems of logical thinking are stifled. Numerous employees must go to the office of the censor with photocopies of the pages. There they spend between 4½ and six hours while the officials review the articles line by line and letter by letter. They even review the classified ads, which are sometimes censored. After they finish they hand the editors a notice called the "Resolution." Stamped on it and pertaining to specific articles are the phrases: "DO NOT PUBLISH," or "CHANGE HEADLINE," or "SUPPRESS PARAGRAPHS 1, 2, 3 and 5."

To change a headline the editor must think of one that will not be censored. He is forced, therefore, to think like the censor. Orders to change headlines are frequent and usually affect articles that are not favorable to the regime but that would not be suitable to censor. An example would be a declaration by Contadora that affects the government or an announcement by the Ministry of Industry that productivity has declined. The censors know that most readers read all of the headlines, but read only those articles that interest them. The headlines therefore must not reflect the bad news that may be in the article.

The censor often cuts the first paragraph of the article, leaving the informational content incomprehensible and obliging the editor to kill the story entirely.

The censor leaves out declarations and statements made by President Daniel Ortega and other national leaders when they are speaking outside of Nicaragua and contradict what they do and say in Nicaragua. But what is most improbable is that the censor sometimes censors herself. On Jan. 21, 1986, we received an interview with Nelba Bandon on censorship, by an AP correspondent named Eloy A. Aguilar. We tried to publish it under the headline: "Bandon Comments on Censorship," but the censor's decision was: "DO NOT PUBLISH." On Aguilar's next visit he asked Bandon why the interview, which he considered accurate, was not published. The censor answered: "Because the statements I made were for publication abroad, not for publication in Nicaragua."

Bandon was also censored, according to her, in a long article on Nicaragua in National Geographic Magazine in December 1985. The article cited Jaime Chamorro, director of La Prensa, as well as Bandon on the subject of censorship in Nicaragua. When the two met after the article had appeared, Chamorro refuted her declarations. She responded by saying: "I was censored." Censored? asked Chamorro. She answered: "They did not publish everything I said." The censor protects the "cooperators" or foreign "internationalists" who commit crimes against the Nicaraguan people. She intervenes on behalf of those people who give their support to the Sandinista regime and does not permit any references to criminal activity or bad behavior—especially if they are Cubans.

Along with photocopies of every page of the paper we send the censor two pages of material that we call "stuffing"—articles that can be substituted for censored stories. La Prensa has been unable to publish on 40 occasions because the censor could not find adequate material to substitute for censored

stories. It is prohibited to leave any blank space on a page or in any other way give the impression that the paper has been censored.

On other occasions La Prensa itself has decided not to publish in order to protest the censorship of important articles, such as Pope John Paul II's letter to the bishops of Nicaragua and the pastoral letter written by all of Nicaragua's bishops during Holy Week.

After all of the necessary changes have been made Bandon again must see photocopies before the paper goes to press. At that point she may still demand changes before the order is given to publish. Only then can the editors and writers breathe. The paper has finally been approved. But on many days we are not allowed to publish until the night. On those days, the papers cannot be sold until the following day.

The censor also prohibits the distribution of censored material to friends of the paper, foreign correspondents, embassies or anyone else who shows interest. Censorship must be a completely private matter between the "jailkeeper," the Department of Censorship, and the "criminal," the newspaper La Prensa (which has already been in jail for four years)—and the condemned, it appears, will be in prison forever.

Maintaining censorship is essential to the Sandinistas even though it damages the prestige they so badly want to maintain abroad. In response to international denunciations of censorship in Nicaragua, they maintain the lie that the exercise of censorship is limited strictly to matters of the military and state security.

The dilemma is clear: censorship is a poison that damages their image abroad. But they know that to lift it would result in an internal, deadly poison for which there can be no antidote. Freedom of the press would be the Sandinistas' death sentence.

#### PLEASANTON, CA, LEARNS HOW TO BEAT RUSH-HOUR TRAFFIC

#### HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. STARK. Mr. Speaker, everywhere one travels, one sees cities and towns collapsing into traffic gridlock, paralyzed by masses of autos, particularly during rush hours.

But Pleasanton, CA, one of the fastest growing communities in America, has learned how to manage this traffic growth and to avoid many of the pains, frustrations, and wastes of traffic gridlock.

I would like to include in the RECORD at this point a brief newspaper article which describes how the city has used its brains and political courage to bring a degree of civilization to the daily chaos of rush hour. I hope other Members can share this idea and information with their communities. The Pleasanton lesson is one that should be copied widely!

#### PLEASANTON LEARNS HOW TO BEAT RUSH-HOUR TRAFFIC

(By Edward Iwata)

While many Bay Area suburbs are being overrun by growing hordes of commuters, Pleasanton is basking in the success of a model traffic plan.

The unusual program puts the burden of easing traffic on businesses that operate in the southern Alameda County town. Large companies and retail or office complexes with more than 100 workers are required to reduce their own single-passenger traffic during rush hours by 45 percent through 1988.

Each company is required to appoint or hire its own traffic coordinator to meet its goals with services for employees, which range from educational seminars to free shuttle buses.

"Everybody's been very supportive and cooperative," said Gail Gilpin, the transportation coordinator for Pleasanton. "One city can't do it all, but it's a good start."

Despite some early griping about the plan when it began a year ago, companies now embrace it.

All 35 companies covered under the traffic plan have complied with the program's goals. Workers increasingly use car and van pools or public transportation, or work staggered shifts to avoid peak commute hours.

"It works great," said Vera Sellers, an engineering clerk for American Telephone & Telegraph Co. who joined a car pool with three colleagues who live in Richmond and El Cerrito. "We read, talk about our kids, gossip. . . . If we've had a rough day, we can close our eyes for a few minutes."

The four rotate driving every day for their 80-mile round trip, and Sellers figures they save thousands of dollars a year on gas and wear on their cars.

At AT&T, the largest employer in Pleasanton, with 3,200 workers, company officials have persuaded half the work force to use car pools or public transportation or to bicycle to work. The company also helped set up a shuttle bus between its business park and the Bay Fair BART station in San Leandro.

"Initially, employees were suspicious and reluctant to get involved," said Dale Chesnut, AT&T's head of security and transportation. "It took a major educational process to let them know we have to work hand-in-hand with the city to keep this a pleasant place to work. Now, employees are very supportive and excited."

Companies that ignore the program can be fined up to \$250 a day, and employers who balk can face jail terms, but so far no one has been cited. A transportation task force made up of business representatives monitors the program.

Pleasanton, one of the fastest-growing cities in California, set up its program because it was on the verge of being overwhelmed by traffic congestion.

Sitting at the hub of Interstates 580 and 680 in southern Alameda County, the city and its several business parks draw 18,000 employees—most of them commuters—every day.

While the traffic plan is not a cure-all, Gilpin said, congestion in the city has been made "more tolerable."

In November 1984, for example, 37,235 vehicles a day passed through the city's busiest intersection at Hopyard Road and Interstate 580. A year later, the number of vehicles rose to only 38,947 trips a day, despite a continuing increase in employment.

"Traffic will continue to get worse in Pleasanton," said Gilpin, "but it will not be nearly as bad with this traffic systems management plan."

Gilpin said other local governments—including Contra Costa, Santa Clara and Marin counties and the cities of Walnut Creek, Palo Alto and San Rafael—are consid-

ering variations of Pleasanton's program. Concord has a law requiring medium-size and large businesses and developers to turn in transportation plans to the city within a year.

The program has attracted national attention. A network television crew was recently in town to include the Pleasanton plan in a news special on traffic. And the city is a contender for a Ford Foundation-Harvard University grant to local and state governments for innovative public planning.

The key to the program's success, said transportation coordinator Gilpin, was cooperation between the city and the business community. A review committee made up of city officials and business representatives had several heated sessions before agreeing on a fair ordinance.

"Pleasanton is working very hard to control its growth, yet remain committed to growth, and their traffic plan is a right idea," said Wendall Snider, president of Berkeley Glasslab, a company that makes equipment for the semiconductor industry.

"The Bay Area is heading toward gridlock if we don't do something about it," he said, "and Pleasanton is obviously trying to head that off."

#### AN AQUINO AGENDA

#### HON. STEPHEN J. SOLARZ

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. SOLARZ. Mr. Speaker, I would like to call to the attention of my colleagues an unusually perceptive analysis of the current situation in the Philippines, written by Richard Holbrooke.

In an article written for Newsweek, Mr. Holbrooke, who served as Assistant Secretary of State for East Asian and Pacific Affairs in the Carter administration, and who has recently returned from a trip to Manila, makes several important policy recommendations for both the Aquino government and the Reagan administration. In particular, he recommends that President Reagan make a greater effort to express public enthusiasm and support for the Aquino government.

Although Mr. Holbrooke's article was written before the submission of the administration's request for supplemental assistance for the Philippines and before President Reagan's meeting with Vice President Salvador Laurel in Bali, I feel that his observations are even more timely and relevant now.

The text of the article follows:

[From Newsweek, Apr. 14, 1986]

#### AN AQUINO AGENDA—THE PRESIDENT MUST EITHER USE HER POWER OR LOSE IT

(Richard Holbrooke, assistant secretary of state for East Asian and Pacific affairs in the Carter administration, has just returned from extensive talks with the new government in Manila. His observations on consolidating Aquino's "people power":)

If anyone still wonders how tough Corazon Aquino is, look at what she has done recently: abolished the National Assembly, created a mechanism for writing a new Constitution, rejected left-wing pressure to declare her government "revolutionary" and military resistance to important personnel changes in the Army. She has made her de-

cisions—all of them the right ones—despite public splits among her closest advisers.

Yet in the frenzied, hothouse atmosphere that is post-Marcos Manila, there is still concern that President Aquino is not yet making sufficient use of her power—that she must either use it or gradually lose it. This may not be fair for someone in her unique circumstances. On a Saturday she was in hiding, on a Tuesday she was president of the Philippines.

But if life is not fair, neither are political expectations. Aquino is already a sort of Joan of Arc to her people, and now they—and the world—expect her to be Charles de Gaulle too, restoring the nation to economic and political health and dealing with two guerrilla movements as well.

So the inevitable next question is not only can she do it, but will everyone else, including the United States, go all out to help her? Based on discussions in Manila last month, I would suggest six areas for priority attention. In some cases there is movement; in others, cause for concern.

1. Too many of Corazon Aquino's supporters have decided to take their personal and political battles with each other public. They should remember that they are in power today because of her leadership and courage. On any given day in Manila, one can hear different versions of what she must do from her leftist "Jesuit group," various members of her cabinet, senior politicians of both Vice President Salvador Laurel's UNIDO and Aquino's Laban parties, the military, members of her own family and countless people presenting themselves as "Cory's closest friend."

Aquino remains outwardly unruffled by all the noise, rightly confident in her own power to resolve disputes. But over time, political bickering can erode the strength of even the strongest leadership, and the time has come to impose more discipline on her supporters, something she has been reluctant to do so far.

2. The nexus of economic issues that confronts the country is staggering. But in no area has the fall of Ferdinand Marcos made such an immediate impact; capital is beginning to flow back to Manila and investor confidence is within reach. Aquino has chosen Jaime Ongpin as minister of finance and indicated that he has overall coordinating responsibilities as a sort of superminister for economic affairs. Ongpin is an excellent choice for this critical role, but there are already signs that this will create problems with other ministers, some of whom have presidential aspirations. Given the immensity of Aquino's other tasks, the wisest course will be to stick to her guns and give Ongpin an unambiguous mandate in the economic sphere.

3. When it comes to dealing with the communist guerrillas, confusion still reigns. Some in the president's entourage still seem to believe that a unilateral cease-fire could entice most of the New People's Army "down from the hills." This is an unrealistic hope. It is matched on the other side by officers who will tell you that if the government will only unleash them now, they can deal with the problem militarily. I met one man who claimed that he had permission from the government to work out a separate peace with the communists in one region of the country—on his own. It sounded unlikely, but turned out to be true.

Only one person can choose among the various proposals for amnesty and counter-insurgency. It is a critical problem, not only because the dangers from the NPA guerril-

las themselves, but also because it will ultimately have a great deal to do with how Aquino's relations with the military develop.

4. Those relations so far have been good. But underneath the surface, the Philippine military is no longer the professional Army that was once an American legacy. Marcos and his henchman, Gen. Fabian Ver, left behind a fractured, self-doubting service. The new chief of staff, Gen. Fidel Ramos, is clearly loyal to Aquino, and upon his ability to reorganize the Army and promote the right people, much depends.

But there are others in the armed forces who may misunderstand the true meaning of "people power." I heard more than one defense-establishment member say that because they helped overthrow Marcos they deserve "a share of the power." Those who flirt with such thoughts are playing a dangerous game. The Philippine military must not intrude into politics. The United States, which has real influence, must make clear that it will not tolerate political activity by anyone in the defense establishment of the Philippines.

5. Even in Washington, where presidents elect have 70 transitional days in which to organize their administrations, a shakedown period is almost always necessary. Small wonder, then, if the scene in the Office of the Presidency in Manila is still a bit disorganized, especially as Aquino and her staff operate out of cramped temporary quarters in a presidential guest house. Aquino's cabinet contains politicians of independent tendencies and, even with the best will, will need to be coordinated by a senior staff. Three ministerial-rank officials now operate out of the president's offices, arranging her schedule and statements. But in addition, a chief of staff for the entire government along the model of James A. Baker III, Ronald Reagan's former chief of staff, should be considered immediately.

8. Relations with the United States form the last of Aquino's priority areas. The United States, including President Reagan himself, played a well-publicized role in the fall of Marcos. America not only has a vital strategic stake in Aquino's success, it also has a moral obligation. One hopes that Reagan will find ways—perhaps including a personal phone call to Aquino, which he has surprisingly not yet made—to show greater public enthusiasm and support for the events he helped stimulate.

In the end, however, it will still come down to Corazon Aquino. Her first weeks have combined courageous decisions with understandable confusion. She still has time, but not an unlimited amount. If she uses her power to give the Philippines a viable democracy, if she adheres to a firm timetable for that process, she will have created an enduring legacy for her country and a proud memorial to her husband.

#### SANDINISTA REPRESSION OF CHURCHES

#### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. BEREUTER. Mr. Speaker, one of the most mystifying aspects of the debate about Central America for me is the support many clergymen and religious groups in this country



continue to give to the Sandinistas—even as that regime systematically harasses and persecutes organized religion in Nicaragua. As in any debate, there are two sides to the Nicaraguan issue.

Certainly I can understand the sincere motivation of church groups to work to eliminate poverty, economic exploitation of underprivileged groups, and social and racial injustice, and know that such motivation would certainly have led to sharp opposition to the Somoza regime. But neither opposition to the Contras nor to the former regime should automatically be translated into an embrace of the Sandinistas, as seems to be the case for some groups. Surely it is necessary to keep in mind the basic political freedoms—the right to speak out in public, to choose a government responsive and responsible to the people, to worship according to one's conscience, among others. These rights are no more in evidence now than they were under Somoza. For church groups to work with and aid a regime which at the same time seeks to eliminate other church groups is seriously wrong. It is wrong, it seems to me, because to do so is to violate the fundamental religious principles. More practically, one wonders why these groups cannot see that once the Sandinistas have achieved hegemony, the likely prospect is that they will turn on those churches which aided their cause. Thus, church aid to the Sandinistas is likely to be self-defeating. The Catholic Church in Nicaragua, which materially aided the Sandinistas during the revolutionary period but is now the target of regime harassment, is illustrative in this regard. For another example of what committed Marxists—which the Sandinistas surely are—have in mind for organized religion, one need look only at the Soviet Union. In a recent editorial on this subject, *The Omaha World Herald*, asked:

How in the name of God . . . could any clergyman be anything but outraged at what is being done by the Sandinistas in the name of God.

I commend the editorial to my colleagues.  
[From the *Omaha (NE) World-Herald*, Apr. 29, 1986]

#### THESE THINGS THEY DID IN THE NAME OF GOD . . .

The blending of Christianity and Marxism in Central America has produced a creature whose characteristics seem more Marxist than Christian.

Liberation theology is the name given to the unnatural union of Marxism and Christian doctrine to justify left-wing political movements such as the Sandinistas in Nicaragua. One characteristic of the movement is a religious intolerance that is dramatically out of step with the interdenominational understanding that has spread in the Christian world since the second Vatican Council of the Roman Catholic Church in the 1960s.

The *Dallas Morning News*, in a series of articles reprinted in *The World-Herald*, described how the Christian religion is being used to build popular support for the Sandinistas—often at the same time the Sandinistas are persecuting Christians with whom they have political disagreements.

The *Morning News* also described ways the Sandinistas manipulate information to gain support among liberal Christian groups in the United States. The stories quoted a defected Sandinista official who said Americans visiting Nicaragua are sometimes intro-

duced to government officials posing as ordinary people who praise the Sandinistas and condemn the contra rebels.

Nicaraguan revolutionaries who draw some of their support from the "popular church" and its liberation theology harass such church leaders as Cardinal Miguel Obando Y Bravo, who refuses to become their pawn.

Members of conservative and evangelical religious groups have had their missionaries sent home from Nicaragua and their buildings and property confiscated. They include Jehovah's Witnesses, Mormons, Moravians and Seventh-day Adventists. Evangelicals constitute an estimated 20 percent of Central America's 22 million people.

How do the proponents of liberation theology justify such actions? The Rev. James Goff, a Presbyterian minister who works in a pro-Sandinista ecumenical center, told the *Morning News* that he doesn't consider it religious persecution when the government seizes buildings used as places of worship by the Jehovah's Witnesses. "These are right-wing sects," he said. "I don't call them Christian."

If the statement of the Rev. Goff is typical, liberation theology is neither liberating nor, in the Christian sense, theological. How in the name of God can any clergyman be anything but outraged at what is being done by the Sandinistas in the name of God?

#### HELP FOR THE ENERGY BELT

##### HON. CLAUDINE SCHNEIDER

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mrs. SCHNEIDER. Mr. Speaker, the *Washington Post* last week ran an article on its op-ed page by my colleagues, Representatives HOWARD WOLPE and FRANK HORTON, who serve as co-chairs of the Northeast-Midwest Congressional Coalition. The article was titled "Help for the Energy Belt," and offered valuable suggestions to the leaders and citizens of our energy-producing States who are confronting major problems due to the rapid drop in oil prices.

The past few months have been a confusing, disconcerting time for these States, which only recently were enjoying a robust economy. While declining energy prices have benefited the national economy as a whole—the recent news about the second consecutive drop in the Consumer Price Index is the latest example—States whose economies rely on energy production have suffered significant losses of jobs and revenue. The suggestions offered by Representatives WOLPE and HORTON provide an excellent set of guidelines as we debate what should be the appropriate response at the Federal and State levels.

I would like to commend my colleagues for their thoughtfulness and leadership at this time, and ask that their article be printed in the *RECORD*:

#### HELP FOR THE ENERGY BELT

Massive layoffs in the region's major industry; state and local governments on the verge of bankruptcy; drastic cutbacks in public services; declining property values and disrupted lives; and, perhaps worst of all, a loss of optimism and faith in the future.

The rust belt in 1981? No, the energy belt in 1986.

Michael Kinsley ("The Frost Belt's Revenge," April 2) articulates very well the temptation to gloat over this ironic turn of events. However, as leaders of the Northeast-Midwest Congressional Coalition, we take little pleasure in our neighbors' current miseries. After all, the strength of the national economy ultimately depends on the health of all regions; if one is sickly, it weakens the others.

Our own region's recovery from the recession is tenuous and incomplete, so we naturally feel sympathy for Texans, Louisianans and Oklahomans whose lives and dreams have been shattered by global economic forces beyond their control. Their problems are real. But it's not so clear what should be done about them.

Undoubtedly, lower energy prices are good for our region and for the nation. The recent price decreases have checked inflation, reduced interest rates, spurred economic growth and increased the competitiveness of American industry. In the Northeast and Midwest, we are paying less to heat our homes, run our factories and drive our cars and trucks.

Consumers in the energy belt derive many of the same benefits. And for some industries in that region—petrochemicals, for example—lower energy costs will improve productivity and profitability.

For the energy states, the time has come for difficult decisions. Will they act to broaden their economic base? Will they band together and sacrifice for the common good? Will they invest in their own future? Or will they bemoan their fate and ask the rest of the nation to subsidize their recovery?

We don't pretend to know all the answers. However, the following suggestions, based on hard experience, may be helpful as these states determine their future course.

#### Diversify the local economy

Much of the energy belt has relied almost exclusively on one industry—energy—to generate growth. That kind of dependence is dangerous. For too long in the 1970s and early 1980s, leaders in our region thought—and hoped—that the losses in basic industries such as steel, autos and textiles were cyclical, not structural. Only when we got over that notion could we begin to promote greater diversity and generate new jobs in growing industries.

#### Reexamine the state and local tax base.

Energy-state revenues from oil and gas severance taxes jumped from \$850 million in 1973 to \$7.4 billion in 1983. These increases, paid mainly by the citizens of energy-consuming states, allowed producing states to keep other taxes low or nonexistent. Texas, for example, has no personal or corporate income tax. With revenues falling drastically, energy-producing states will have to look to other sources if they want to provide necessary services and maintain their public infrastructure.

Raising taxes is not easy, especially when the economy is poor. But many Midwestern states raised taxes—and cut their budgets—in the midst of the 1981-'82 recession. Continued public services and investments helped their recovery.

Preserve federal programs that help build the local economy.

Federal funds for economic and community development, which our region relied on heavily, were slashed in 1981 and 1982 when we needed them most. Other forms of aid to state and local governments—general reve-

nue sharing, mass transit assistance, subsidized housing, education assistance—suffered the same fate. Now, in the era of Gramm-Rudman-Hollings deficit reduction, they are on the chopping block again. Such programs, when targeted to the areas that need them most, can facilitate the transition of local economies. Our friends from the energy belt need them now, and should help us keep them alive.

Oil import taxes hurt more than help.

Taxes on imported oil have been suggested as a way to boost prices and raise federal revenue. But this approach is inefficient and inequitable. Only one out of three barrels is imported, but the price of domestic oil is pegged to the price of imports. Thus, for every dollar collected by the federal government, domestic producers would receive a \$2 windfall. A tax that raised \$10 billion in federal revenues would cost consumers throughout the country \$31 billion.

Higher oil prices would increase tax revenues for energy states. But they also would make American industries less competitive on the world market and undermine the ability of Mexico and other allies to repay the enormous loans they owe U.S. banks. Oil import taxes were a bad idea when first proposed. They're a bad idea now. Fortunately, the president has made clear his own opposition to such taxes.

Now is not the time for quick-fix responses we'll regret later. Rather, leaders of all regions should work together for balanced national growth and economic security.

#### TRIBUTE TO JUDGE LYNN C. BENNETT

#### HON. CARROLL HUBBARD, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. HUBBARD. Mr. Speaker, I rise today to pay tribute to Judge Lynn C. Bennett of Mayfield, KY, who died Saturday, April 5, at the age of 43 years.

I am saddened at the loss of a long-time, personal friend who was indeed a dear friend to many in western Kentucky. An attorney, Lynn Bennett practiced law in my hometown of Mayfield beginning in 1982. In 1985, she became the first woman to ever be district judge for Graves County, KY, having been appointed by Kentucky Gov. Martha Layne Collins. Judge Lynn Bennett served two terms as president of the Graves County Bar Association, was a member of the local American Red Cross board of directors, had been elected to the Western Kentucky Regional Mental Health-Mental Retardation Board of Directors, and she served on several other associations and councils.

While Lynn was distinguished in her profession and in her service to her community, she will be remembered most for the type of person she was. A terrific personality and a very pretty lady, Lynn Bennett lived her life to the fullest and was respected and admired by all who knew her. Indeed, her life and good works were cut too short by cancer, which she fought to the end.

Actually, an editorial tribute to Lynn Bennett written by Dennis Hill, editorial page editor of the Mayfield Messenger, is the best I've read

about her, and I share that newspaper tribute with my colleagues:

#### LYNN BENNETT'S LEGACY WILL CONTINUE

There were several things one discerned immediately about Lynn Bennett upon meeting her for the first time, like her charm and grace, and the ease with which she was able to engage in conversation and make you feel comfortable.

She was a listener, and seemed much more concerned about hearing anything you had to say than talking herself—a rare gift that made anyone she talked to feel very special. But it wasn't something she did on purpose. It was borne of her genuine concern for other people and her sensitivity to their needs.

Another of Lynn's qualities that was evident right away was her sense of humor, for which she will probably be remembered as much as for any of her other qualities. Few people loved or enjoyed life more than she did.

In spite of illness, personal disappointments and other problems, Lynn kept a positive outlook, at least publicly, and let us all know by her example that whatever difficulties one faces, the only way to deal with them is head-on, with energy, courage, confidence and determination.

The more you got to know her, the more evident these qualities became. She was indefatigable as a judge. Her energy was boundless, and the results of her efforts were evident. As the first woman to ever be Graves District Judge, she established a work-release program to help relieve overcrowded jail conditions.

She was tremendously concerned about the treatment and disposition of juveniles in our county, and worked tirelessly to maintain the Court Services Office so juvenile offenders and juveniles with problems would have a fighting chance to eventually become productive, law-abiding adults.

She was also a loving wife and mother to whom, although her career was very important to her, her family was the most important thing in her life.

There are a great many good things that can be said about Lynn Bennett. Her family, her many friends, her University of Kentucky Law School class and many others with whom she came in contact during her life, have their own personal and private memories of her and stories about her.

One of her closest friends told me earlier in the week that although it became evident that Lynn was not going to make it, and there was a time for friends and family to reconcile themselves to the inevitable, that it had not made her passing any easier.

The reason, her friend said, was that Lynn was a larger-than-life individual, and regardless of the odds against her, those who knew her somehow expected Lynn to overcome them and emerge triumphant. So there was no way to cushion the blow of her death.

Perhaps it was that larger-than-life quality, coupled with undaunted courage, deep abiding faith, and zest for living that people will remember most. Those qualities helped her fight a long and arduous battle against a disease that eventually takes its toll. But she never gave up and she never let down. She fought it moment by moment, hour by hour, day by day.

If cancer was going to win, it wouldn't be by default or by a technical knock-out. It would have to be stronger, more determined and more tenacious than Lynn Bennett. And that was a tall order, even for a killer like cancer.

Her memory, her accomplishments and her legacy will live on.

Lynn Bennett is survived by her husband, Stites Bennett; her mother, Mrs. Theo Cook of Memphis, TN; one son, Will Jay Bennett of Mayfield; two daughters, Melinda Allen Bennett and Sally Boyd Bennett, both of Mayfield; one brother, David M. Cook of Memphis; and one sister, Gail C. McCabe of San Francisco, CA.

My wife Carol and I join with the many friends of this outstanding Kentuckian in extending our sympathy to the family of Lynn Bennett. She will be missed by all of us.

#### UNOCAL COMPUTER DONATION HELPS ALAMEDA, CA SCHOOLS

#### HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. STARK. Mr. Speaker, I would like to commend the Unocal Corp. for its donation of \$100,000 in surplus computer equipment to the Alameda County Office of Education.

Donations of equipment that is often of no use to a large corporation can make an important difference to our Nation's hard pressed public schools.

I hope that this example can be copied by other companies throughout the Nation. Following is an article which describes the importance of this type of corporate donation policy.

The article follows:

#### CENTERS DONATION HELPS ALAMEDA SCHOOLS

When machinery at the credit card center becomes outdated, it is either sold to other businesses or traded in for a newer version. But last year, over \$100,000 in surplus computer equipment served a different purpose—it was donated to the Alameda County Office of Education.

The county office, located about 30 miles east of the credit center, is recovering from funding cutbacks. As regional coordinator between Alameda's 22 school districts and the State Department of Education, the office is responsible for maintaining payroll, accounts payable and other financial data. Its ability to process this information, however, has been hampered by diminished funds. Today, the Alameda office has fewer employees to handle paperwork and less money for equipment repair and purchase.

Bill Lucchesi, manager of computer operations at the credit center, became aware of the county office's financial plight in late 1984. At that time, the center was seeking bids on the surplus computer equipment, which consisted of six disk and four tape drives used for data storage. Alameda officials needed the equipment but could not offer a competitive bid.

Although the credit center does not usually donate used equipment, Lucchesi recommended that an exception be made. "The company felt that assisting the Alameda office was in the community's best interest," he explains.

Carol Smith, Alameda office administrative assistant, agrees. "We serve school districts in Berkeley, Oakland, Fremont—on down to the San Joaquin Valley border. This donation will have widespread benefits."



Once installed in the office's data processing department, the tape and disk drives will improve operations. Data will be recorded and stored on the magnetic tapes at the end of each day. By using the disk drives with the computer, information can be stored more conveniently.

"Each of the disk drives can hold up to 200 megabytes of information," explains Gary Rose, Alameda's director of data processing. "Translated, that means that a whole year's worth of accounting data will be available on one disk. Before, the disk would have to be erased to make room for next month's figures."

Keeping vital information on disk instead of tape drives will also allow school districts direct access to their records via computer. That wasn't possible before, since data recorded on the disk was transferred to magnetic tape drives and filed away in storage.

"When a school official wanted information about the previous month's records, we'd have to go through the files. That would take at least a day," says Rose.

Last year's donation to the Alameda office wasn't the first made by Unocal's credit center. In 1984, the center provided the office with a surplus computer console keyboard for its data processing operations. The console is vital, controlling the entire computer system.

"When our own console gave us trouble before, the system would shut down. We'd lose half a day trying to fix it," explains Rose. "Now we use the Unocal console as a back-up, so when ours is in 'down time,' the system can still function."

The credit center's involvement with Alameda has prompted other local businesses to help with donations of their own. Smith cites a growing recognition of the importance of education to the business community. "There are lots of benefits in linking business with education," she says.

## NUCLEAR RISK REDUCTION TALKS

HON. BYRON L. DORGAN

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. DORGAN of North Dakota. Mr. Speaker, some good news out of Geneva highlights the beginning of high-level talks between American and Soviet officials on ways to reduce the risk of nuclear war.

Both sides seem ready to pursue these negotiations in a professional and business-like manner and to eschew the posturing that has often dogged other arms control talks. This worthy enterprise deserves such statesmanlike attention.

I am sure that these nuclear risk reduction talks enjoy wide and enthusiastic support on both sides of the Capitol. Indeed, our bipartisan persistence has helped make these talks a reality.

The opening talks on risk reduction are chronicled in the following article by Michael Gordon in the New York Times.

PRIVATE TALK HELD BY U.S. AND SOVIET  
(By Michael R. Gordon)

WASHINGTON, MAY 5.—A high-level United States delegation began two days of private discussions with Soviet officials in Geneva today on ways to reduce the risks of an accidental nuclear war.

The talks, which have not been publicized by the Reagan Administration, were called for in the communique signed Nov. 21 at the Geneva summit meeting by President Reagan and Mikhail S. Gorbachev, the Soviet leader.

The American delegation is headed by Richard N. Perle, an Assistant Secretary of Defense, and Robert B. Linhard of the National Security Council. The chief of the Soviet delegation is expected to be Aleksei A. Obukhov, the Soviet negotiator in Geneva on medium-range weapons.

Senators Sam Nunn of Georgia and John Warner of Virginia, two influential members of the Senate Armed Services Committee, have pressed interest in reducing the chances of an accidental nuclear war with their proposal for "nuclear risk reduction centers."

### ADMINISTRATION IS SKEPTICAL

The Administration has tended to be skeptical of the proposal, but has agreed to explore a limited version of the centers. One Administration reason is to avoid alienating Mr. Nunn and Mr. Warner, who wield power on military budget issues, an Administration official said.

The Senators' plan calls for risk reduction centers in Washington and Moscow that could be used to exchange information about American and Soviet military operations and to discuss each side's military doctrine. The goal would be to reduce the chances of an unintended military confrontation.

The centers could also be used to coordinate American and Soviet responses to possible episodes of nuclear terrorism to lessen the chance that the detonation of a nuclear device by a terrorist would lead the United States to conclude that it was under attack by the Soviet Union, and vice versa.

Mr. Nunn and Mr. Warner suggested that at some point the centers could be jointly staffed by American and Soviet officials.

### MC FARLANE NOT CONVINCED

Some Administration officials have argued that joint centers are not feasible and have questioned their value in coping with potential incidents of nuclear terrorism.

Last August, President Reagan's national security adviser, Robert C. McFarlane, wrote Mr. Nunn and Mr. Warner, noting that the Administration would look into opening risk reduction centers in Washington and Moscow that would be separately staffed and would trade information on some military activities, such as the launching of missiles in weapons tests. Mr. McFarlane did not endorse such centers for dealing with the possibility of nuclear terrorism.

"If it was not for the political sponsorship on Capitol Hill, the meeting with the Soviets would probably not be taking place," said one official, who added that the Administration generally favored an "exploratory go-slow approach."

But another official said discussion of risk reduction centers and other "confidence building" measures could be an increasingly important way for both sides to cope with the arms race, particularly if an accord on reducing arms continued to elude them.

### TALKS WITH GORBACHEV

Mr. Nunn and Mr. Warner discussed the risk reduction centers, including the proposed role in combating nuclear terrorism, in a meeting on Sept. 3 with Mr. Gorbachev.

The Soviet Union has not indicated what it thinks of the concept.

Before the summit meeting in November, the Soviet Union said the issue of the cen-

ters should be taken up in the large Geneva arms talks. The United States proposed that the issue be dealt with in separate discussions.

The summit communique contained vague language about risk reduction centers, pausing over the difference between the two sides.

Since then, the United States has won Soviet agreement to carry out a separate set of talks on reducing the risk of accidental nuclear war.

But the Soviet Union has stressed the link between the two sets of talks by selecting Mr. Obukhov to head its group of experts in the new discussion. Mr. Obukhov also serves as the chief Soviet negotiator on medium-range weapons in the Geneva arms talks.

Administration officials said a similar set of private, exploratory discussions between American and Soviet experts on limiting the spread of chemical weapons was business-like and constructive. Those talks, which were also called for by the summit communique, were held in March.

## A CONGRESSIONAL SALUTE TO MRS. ALICE DEUKMEJIAN

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. ANDERSON. Mr. Speaker, it is indeed a privilege for me to rise and pay tribute to Mrs. Alice Deukmejian who is being honored on May 10 by the Long Beach YWCA for her many contributions to the community and the State of California. This coveted award, which is so richly deserved, will be presented in conjunction with the YWCA's 3rd annual special recognition of "International Mothers Day."

Mrs. Deukmejian is the mother of California Gov. George Deukmejian and Mrs. Anna Ashjian.

As you can appreciate, Mr. Speaker, every mother gives birth to a child with great hopes that that child will live a long and happy life. When one, however, is given that rare opportunity to watch a son grow up and become Governor of their State, that in itself, must be a very satisfying experience. This is, no doubt, an even greater experience for a mother who immigrated to this country and was faced with one barrier after another.

A native of Armenia, Mrs. Deukmejian and her family moved to the United States over 75 years ago and settled in the Albany-Troy area of New York. She later married the late George Deukmejian and together, they became actively involved in many American-Armenian philanthropic organizations. Her contributions were not limited to those individuals of Armenian background, however. For many years, she participated in the parent and teachers organization and church-school activities and with her husband, she worked diligently with the Crippled Children's Hospital.

It was once written that:

The child, in the decisive first years of his life, has the experience of his mother, as an all-enveloping, protective, nourishing power. Mother is food; she is love; she is warmth; she is earth. To be loved by her means to be alive, to be rooted, to be at home.

And, in my view, there can be no substitute for a mother, for only to touch her makes a troubled child feel better.

My wife, Lee, joins me in congratulating Mrs. Alice Deukmejian on this special occasion. She has been a positive force in our community and we are, indeed, grateful for her countless contributions to the betterment of society.

#### EDITORIAL VIEWPOINT

### HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. BEREUTER. Mr. Speaker, much has been heard lately about the need for our allies to back us when we undertake military action in support of internationally recognized goals. But such obligations work both ways. At this moment Prime Minister Thatcher, who did not hesitate to allow us to use British air bases in the recent bombing raid on Libya, needs our help in the fight against terrorism. Specifically, she and this Member of Congress, urges the Senate ratification of a proposed extradition treaty which would make it harder for Irish Republican Army terrorists to escape justice by fleeing to the United States. This country should ratify the treaty, both because we owe it to one of our staunchest allies and because to do otherwise would be inconsistent with our strong antiterrorist stand. In a recent editorial which I believe my colleagues would find most enlightening, the Omaha World Herald made a strong case for ratification. The editorial follows:

[From the Omaha World Herald, Apr. 29, 1986]

#### ANTI-TERRORIST HELP FOR BRITAIN

British Prime Minister Margaret Thatcher deserves to be listened to when she urges the United States to show its commitment to the fight against terrorism by moving ahead with a proposed extradition treaty.

The treaty, which has been held up for months in the Senate Foreign Relations Committee, would make it harder for Irish Republican Army terrorists to escape justice by fleeing to the United States. President Reagan also has urged the Senate to act.

Mrs. Thatcher shouldn't have to remind the Senate of the recent favor she did for the United States: allowing the American bombers to use British bases for the bombing raid on Libya.

Nor do Americans, of course, have to remind Mrs. Thatcher of U.S. support of England's war against Argentina to reclaim the Falkland Islands. Allies as close as the United States and Great Britain don't need to keep score. Their common goals should keep them on parallel tracks.

Irish terrorism is a serious problem for the British. The United States should do what it can to help. Ratification of a treaty governing the extradition of terrorists who flee to America to avoid prosecution would be one way. Shutting off financial aid to the Irish Republican Army would be another way. The British say that Irish terrorist groups get more financial support from America than they do from Libya.

Mrs. Thatcher has personal experience with Irish terrorism. She nearly lost her life 14 years ago when Irish terrorists blew up

her quarters in a hotel at Brighton. The attack left no doubt about the seriousness of the threat from Irish terrorists.

Extradition treaties are consistent with the American idea of justice. Ratifying the proposed treaty would be a way of helping a troubled ally.

### VAN NUYS CELEBRATES DIAMOND JUBILEE ANNIVERSARY

### HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. BERMAN. Mr. Speaker, today I rise to pay tribute to one of the Twenty-Six District's finest communities—Van Nuys. Van Nuys will be celebrating its Diamond Jubilee Anniversary.

It has been a growing and productive 75 years for Van Nuys. Van Nuys was one of the first planned communities in the country and had a full range of services for the residents. As the San Fernando Valley grew, so did Van Nuys. In the late 1920's the Van Nuys branch of Los Angeles City Hall opened. Because of its central location, Van Nuys was one of the first Valley communities to have its chicken ranches and orchards give way to houses, schools, parks, hospitals, and neighborhood shopping centers. But, as the San Fernando Valley grew around it, the heart of Van Nuys deteriorated. By the 1960's, shoppers who had patronized Van Nuys establishments went to regional shopping centers. As stores moved out, buildings were left vacant and deteriorating.

But the people in Van Nuys—in many cases, the families of the first town settlers—dug in their heels and fought back. Just as the 1911 Van Nuys was a first as a planned community, the Van Nuys of the late 1970's was on the leading edge of private sector commitment to the revitalization of its community and development of the public-private partnership concept. With the help of a Community Development Block Grant funded program, empty and deteriorated buildings were fixed up; exteriors took on a new look; and interiors were modernized. More than \$13 million in private funds were injected into the community, a ratio of 13 private dollars for each public dollar invested in the community.

Historic old buildings were restored to their former glory and empty retail stores became offices, bringing more employees to patronize area stores and restaurants. A pedestrian mall was created within the San Fernando Valley Administrative Center and street trees were planted.

The change spread out from downtown. The economic base of Van Nuys became more diverse. The major employers represent the automobile industry, the electronics and computer industries, clothing manufacturers, breweries, and publishers. Van Nuys has become a medical and a financial center as well. The community has three major hospital centers plus specialized hospital outpatient and convalescent facilities. Van Nuys is home to 14 commercial banking offices and 10 savings and loan offices, employing thousands of individuals and bringing a wealth of economic

resources into the community. Van Nuys Airport became the busiest general aviation field in the world, with more than 500,000 aircraft operations a year on its two runways, and creating primary and secondary employment for more than 2,300 individuals.

In the midst of all this growth, the quality of life was not forgotten. Community leaders worked to maintain a balance of jobs and housing, schools adapted to the demands of larger and more diverse student bodies and local agencies worked to respond to the needs of the residents and businesses.

The people of Van Nuys were and are still willing to fight for their community. The community has come a long way in its 75 years, and the pioneer spirit of the original settlers remains. "The Town That Started Right" is going strong and looking forward to its next 75 years. It is an honor and a pleasure to join with my colleagues in saluting the community of Van Nuys on its 75th birthday.

### MIKE DEMEREE: NATIONAL TREE FARMER OF THE YEAR

### HON. SHERWOOD L. BOEHLERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. BOEHLERT. Mr. Speaker, it is with great pride that I stand before the House to recognize Mike Demeree of Bainbridge, NY, as the National Tree Farmer of the Year. Mike's accomplishments had previously gained him recognition at the State and regional levels—and now, thanks to his outstanding achievements as a tree farmer and his active participation in the community, Mike has been singled out of 55,000 other tree farmers across the United States.

This prestigious honor is based upon the individual's overall contribution to tree farming, not just a single accomplishment. Because Mike's activities over the years have been so numerous and varied, he was able to shine over many worthy farmers being considered for this award.

Presently Mike is running a 541-acre farm in New York. As he has in the past, Mike will skillfully work the land and leave it in good condition for future generations. For Mike, the motivation behind farming goes beyond mere profits. His forestry work displays a sincere care for the environment and his results have been beneficial to society as a whole. I especially appreciate his care for the environment, since it complements the need for acid rain regulation—a legislative area which demands a great deal of my attention.

In addition to his personal farming, Mike helped coauthor the New York State tax law regulating the practices of forest landowners. This important legislation calls for a fair tax exemption plan which allows reasonable profits for tree farmers. The bill also regulates the treatment of land in a manner which protects our environment. Following his initial work on this legislation, Mike proceeded to spend a year of his time voluntarily lobbying on the bill's behalf. It is this type of dedication which typifies Mike's commitment to the tree farming industry.



In the Book of Revelations, St. John said "Hurt not the earth, neither the sea, nor the trees." Mike Demeree is a tribute to these wise words and is a deserving recipient of this national honor. His accomplishments speak highly for himself, his profession, and the 25th district of New York.

# AMERICAN INDIANS FOUND THREE TIMES MORE LIKELY TO DIE YOUNG

**HON. DOUGLAS H. BOSCO**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. BOSCO. Mr. Speaker, I would like to bring to my colleagues' attention the recent Office of Technology Assessment report on the health status of American Indians. This report, as described in the following May 1, 1986, Los Angeles Times article, underscores the need for reestablishing a strong Federal commitment to Indian health programs. I would hope that House Members have an opportunity to review this important OTA report.

## AMERICAN INDIANS FOUND THREE TIMES MORE LIKELY TO DIE YOUNG

(By Lee May)

WASHINGTON.—American Indians are three times more likely to die young than are other Americans, a new congressional report said Wednesday in finding that Indian health status "still lags behind" the rest of the population.

The 377-page report by Congress' Office of Technology Assessment said that 37% of deaths among American Indians and Alaska natives occurred before age 45, compared to 12% of all U.S. deaths in the same age group.

Listing causes of death among Indians, the report said that heart disease ranked No. 1, followed by accidents. Indians suffered three times as many accidental deaths as did the rest of the population, the report said. Also, it said, suicides—the ninth leading cause of Indian deaths—were three times greater among Indians aged 15 to 24 than in the rest of the population in that age group.

In all 15 causes of death studied in the report, including pneumonia, liver disease and tuberculosis, Indians died at a higher rate than did other U.S. residents. The report which covers the period from 1980 to 1982, said that the overall death rate for Indians was 1.4 times that of the general population.

Despite the relatively high death rate, Indians were hospitalized less often than other Americans for several leading causes of death, the report said. This, it added, implies that "access to health care for Indians has decreased."

Rep. Henry A. Waxman (D-Los Angeles), in a statement accompanying the report, said the study "describes a system that is failing a people to whom the federal government has a moral and legal trust responsibility."

Waxman, chairman of the House Energy and Commerce subcommittee on health and the environment, which requested the study, said the report will help Congress and the Reagan Administration "improve this sorry state of affairs."

According to the 1980 census, more than half of the nation's 1.4 million Indians lived in urban areas, and the report says that the

Indian population of 48,000 in the Los Angeles-Long Beach region is the highest of any metropolitan area. California, with 216,000 Indians, is one of four states whose Indian populations exceed 100,000. The others are Oklahoma, Arizona and New Mexico.

Federal health programs, provided through the Indian Health Service of the Health and Human Services Department, were funded at \$807 million in fiscal 1985, the report said. The programs are partly protected from the Gramm-Rudman deficit-cutting law, the study said, with cuts held to 1% this fiscal year and 2% in subsequent years.

The report said there is some concern over whether the federal health service will erode as more attention is paid to cutting the budget deficit. This concern is expected to increase as more people become eligible for care under the special program.

Federal officials are considering a plan to redefine who is an Indian and therefore eligible for the care. A person now qualifies for care if he is of Indian descent, but the report said the health service may propose a "one-quarter Indian blood requirement." Such a proposal would be controversial "not only because of the racial overtones" but also because "it would be seen as an encroachment on the authority of tribal governments."

## KILPATRICK: THE ARGUMENTS AGAINST CONTRA AID DON'T HOLD

**HON. JIM COURTER**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. COURTER. Mr. Speaker, anticipating the revival of the debate on Nicaragua, the noted columnist James J. Kilpatrick has written a cogent summary and rebuttal of several of the leading arguments against aid to the democratic resistance. His essay deserves a readership in the Congress in addition to the influence it has already enjoyed outside Washington, and so I ask that it be included in today's RECORD.

[From the Times (Trenton, NJ), Apr. 10, 1986]

## NICARAGUA: A SECOND CHANCE

(By James J. Kilpatrick)

WASHINGTON.—Congress came back to Capitol Hill this week, with the biggest question of the spring still awaiting decision: Will the United States send significant aid, promptly and effectively, to the "Contras" of Nicaragua?

On March 20, by a vote of 222-210, the House said no. On March 27, by a vote of 53-47, the Senate said yes. The issue returns to the House this month. A switch of seven votes would authorize the transfer of \$100 million within the defense budget. The president would be able to act immediately on \$25 million in non-military assistance; the other \$75 million in military aid would follow over a period of three months.

The issue seems so clear to me that I am at a loss to understand the manifest coolness in Congress toward the Contras' cause. Granted, the administration's rhetoric has been on the purple side, but both sides of

the debate got carried away. It would be useful if both Speaker Tip O'Neill and the White House would turn the volume down.

Those who oppose aid to the contras make five basic arguments. Let me attempt to reply to them.

The first argument lies in the residual legacy of Vietnam. "The Reagan approach," said Rep. Peter H. Kostmayer, D-Pa., "guarantees inevitably that American troops from Allentown and Bethlehem and all over the Lehigh Valley will be called upon to die in Nicaragua." But in his March 16 address, President Reagan made his position plain: "I am not talking about American troops. They are not needed; they have not been requested."

Second, it is said that other Latin American nations are opposed to our assisting the counter-revolutionaries, but this is not as clear as one might think. Daniel Ortega, the Nicaraguan dictator, has few friends in this hemisphere. Such neighbors as El Salvador, Honduras, Costa Rica, Panama and Guatemala are understandably nervous at the thought of full-blown warfare in their back yard. The Contadora group favors negotiations—but who doesn't favor negotiations?

That is the third objection—that the Reagan administration has not tried hard enough to achieve democratic reforms in Nicaragua at the negotiating table. On 10 separate occasions, the United States has sent envoys to the Sandinista regime, and 10 times they have been rebuffed. The Sandinista government flatly refuses to negotiate an armistice and a democratic government with the Contras. Managua's evident determination is to crush the rebels by military force. It takes two to tango, and it takes at least three to settle the perceived threat to U.S. security.

Fourth, it is charged that the Contras are not worthy of our help. Speaker O'Neill, in his moderate moments, has called them terrorists, fascists and murderers. Their forces, he has said, include many "thugs" from the old Somoza regime. Very well, the Contra forces are not composed of Eagle Scouts and choirboys, but these things are matters of degree. Daniel Ortega's Sandinistas have abolished civil liberties, censored the press, firebombed Managua's only synagogue, expelled Catholic priests, and committed brutal atrocities of their own.

Finally, and perhaps most persuasively, opponents deny that "little Nicaragua" is in any way a threat to the security of the United States. No view could be more in error. The Soviet Union has pumped an estimated \$600 million in military aid to the Sandinista regime. The Soviets are financing thousands of Cuban mercenaries to fight against the Contras. If the Sandinistas are able finally to crush the rebels, and to consolidate a Communist dictatorship effectively controlled by the Soviet Union, a grave threat will indeed be posed to American interests—and to the security of all of Central America. There is the peril. It is not imaginary; it is real.

In the vote on March 20, the White House lost 16 Republican members. Over the Easter recess they have had time to reconsider. If seven would vote "aye" on the Senate's aid bill, the Contras would be given a fighting chance. That is all they have asked. It seems little enough to provide.

## H.R. 4730 AND H.R. 4731, BILLS AFFECTING RECREATIONAL BOATING

**HON. ROBERT W. DAVIS**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. DAVIS. Mr. Speaker, on Thursday, May 1, I introduced two bills which I believe will make positive changes in laws affecting recreational boaters.

The first, H.R. 4730, is a bill which will require the display on gasoline pumps of the type and amount of alcohol used as an additive in that gasoline. The reason this has become necessary is one of safety. Alcohol in fuels used in inboard motors of boats can permeate fuel hoses causing dangerous fumes to collect and make explosion possible.

The U.S. Coast Guard recognizes this danger and, in cooperation with boating organizations and manufacturers, has tried to inform the boating public as well as encourage the design of a less permeable fuel hose.

Despite these efforts, the hazard remains and there is wide agreement among boating-related interest groups that pump labeling is the best answer to minimize danger to the boating public.

This bill does not in any way limit the use of alcohol as a fuel additive. From the boater's perspective, however, it can be of significant help to know how much alcohol is in the gasoline he or she buys—and the type alcohol—since, for instance, methanol permeates fuel hoses more than ethanol.

H.R. 4730 would require the Federal Trade Commission to promulgate rules to accomplish the pump labeling, and would also require periodic testing of alcohol content in gasoline by the Environmental Protection Agency.

The second bill that I introduced on May 1, H.R. 4731, does two things. It would require that all States participating in the Aquatic Resources Trust Fund Boating Safety Program have a boat titling system in place within 5 years. While 19 States currently have boat titling systems in place, we do not have a uniform system for all States with boating populations. This causes an interstate problem for both law enforcement officials and financial institutions. With a uniform titling system in place among all boating States, law enforcement officials would more easily be able to trace stolen boats; and the consumer would be able to know whether a boat is, in fact, the property of the seller.

Further, because the cost of even relatively small boats has increased over the years, boat purchasers are more often seeking financing for recreational vessels. Having uniform titling among the States would allow a financial institution to know whether the vessel being purchased is the property of the seller and, therefore, legitimate collateral.

The legislation would require the Secretary of Transportation to promulgate rules setting up a standard titling system which the States may then use for purposes of complying with this legislation. It is my intention that requiring titling among the States should not be administratively burdensome to either the States

## EXTENSIONS OF REMARKS

which already have titling or the States which must now comply. Because I believe uniform State titling can be accomplished within the 5-year time limit, I have also included in the legislation a provision which would reduce State recreational boating safety funds by 10 percent after 5 years if a State has not or does not have a titling system in place.

Both of these bills will be the subject of a hearing before the Subcommittee on Coast Guard and Navigation on May 20, 1986. Witnesses will include boat manufacturers, national boating organizations, State boating law administrators, and marine bankers. It is my hope that the information and support that the subcommittee receives with regard to this legislation will help to move this legislation closer toward passage.

## TEXAS' BEST DAYS LIE AHEAD

**HON. JACK FIELDS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. FIELDS. Mr. Speaker, the great State of Texas recently celebrated San Jacinto Day—the day on which Texans triumphed over the Mexican General Santa Anna and won their independence from Mexico.

This year's celebration was special, because Texas this year observes its sesquicentennial—its 150th anniversary of independence.

This year's celebration was special, too, because of an outstanding commentary which appeared on the front page of the Houston Post on April 21. Written by Houston Post editor Lynn Ashby, the commentary puts to rest the notion that Texas is "going down the drain."

I commend Mr. Ashby for reminding his readers that Texas, and its people, have faced and overcome challenges before. And that we will do so in the months and years ahead as well. We Texans are after all, a strong, resourceful, proud, and independent group of people. And we are still convinced, most of us, that the future is what you make it.

Lynn Ashby ends his commentary by asking, and then answering, this question: "What are Sam Houston and Deaf Smith, Mirabeau B. Lamar, and Juan Seguin saying of those who despair that Texas has seen its peak and only help from outside will bring back past glories? They are saying that it's a good thing those people never came to Texas."

I commend Mr. Ashby's commentary to the attention of my colleagues.

Thank you, Mr. Speaker.

[From the Houston Post, Apr. 21, 1986]

**BAD ODDS AREN'T NEW TO US—OUR FUTURE IS IN OUR HISTORY**

It was on an April afternoon 150 years ago today that 738 Texans mustered on the muddy plains named for a Polish saint. What they did in a brief, bloody 19 minutes changed forever the face of North America and created the way we live today.

They had come from everywhere to join the home-grown heroes in hopes of making a better life. It wasn't easy. It wasn't sup-

*May 6, 1986*

posed to be easy, which is exactly why many of them came. If you had it made in Boston, you stayed in Boston.

Looking back, within the safety of a civilized society, it is difficult for us to imagine the odds they faced. Texas had not won a battle. Indeed, its two largest fighting forces, with Fannin at Goliad and Travis in the Alamo, had been annihilated.

Almost every town in Texas save Galveston had been captured by Santa Anna's troops. To prevent them from being of any use to the Mexicans, the towns had been burned by their inhabitants. The stock had been killed or driven eastward. Most of the population was taking part in the Runaway Scrape—fleeing east as fast as possible. The government had fled as well, and was almost captured getting on a ship that would take them to Galveston.

The army Houston had assembled had taken part in a few scrapes, but mostly it, too, had retreated. Its condition was, shall we say, slightly seedy. Its prospects bleak. Pay? The check is in the mailpouch. Equipment? BYOR. Bring your own rifle. The cavalry was made up of those who could BYOH.

Most of those who had so gloriously sounded the bugles were nowhere around: Only 10 of the 59 signers of the Declaration of Independence were on hand. "The planters were taking care of their cattle and slaves and the merchants were minding their goods," one Texas officer sourly wrote.

The curious thing is that, for all these many woes, the Texans who gathered at San Jacinto were not dispirited. Not gloomy, not deserting. They were just mad—at Santa Anna for being one of the more despicable tyrants of history, and at Houston for not taking him on.

Not gloomy, but certainly interesting. A new recruit wrote, "A scene singularly wild and picturesque presented itself to our view. Around 20 or 30 campfires stood as many groups of men: English, Irish, Scots, Mexicans, French, Germans, Italians, Poles, Yankees, all unwashed and unshaved, their long hair and beards and mustaches matted, their clothes in tatters and plastered with mud. A more savage-looking group could scarcely have been assembled."

Funny how little things change.

But what must they be thinking today, as those solemn men who had gambled so much, who had already lost so much, look down on those who mournfully say Texas is going down the drain, its economy in ruins, its faith in the future shattered. What are Sam Houston and Deaf Smith, Mirabeau B. Lamar and Juan Seguin saying of those who despair that Texas has seen its peak and only help from outside will bring back past glories?

They are saying that it's a good thing those people never came to Texas.

## GUESS WHO CAME TO THE LUNCHEON?

**HON. BARBARA BOXER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mrs. BOXER. Mr. Speaker, I call to the attention of my colleagues this thoughtful commentary published by Stuart Strong in a weekly newsletter which circulates in my congressional district:



Guess who came to the regular luncheon meeting of Rotary International in Pacifica last week? Seven women, that's who, all brought as guests of one of the more forward-looking members who took seriously the implications of a recent California State Appeals court decision. The court said that the Duarte Rotary chapter, ousted by the International eight years ago for accepting female members, would have to be restored to full standing. Duarte's in southern California, but Pacifica, where this latest bold event took place, is only about 25 miles away, so the question is, how long before this inevitable development will be welcomed, into an enlightened area like Marin?

The Pacifica member who had the guts to bring what he described as "some of the leading women in the community," into the rigidly macho atmosphere of rotary did it, he explained, "to make you aware that there's all this talent out there in the community that's not being tapped."

How doubly true this is in Marin, where many a man has been shocked out of his smugness by asking for the president or manager of some potent organization in the country, only to be ushered into the offices of—heavens, what next???—a woman? There are already dozens in the area who fit this description, and more all the time, so what's the big deal?

It's true that there is still a vast amount of unused talent and ability out there, not only with women, but with various groups of minorities, and certainly with many of the intelligent high school and college teens whose minds are not being stretched enough by the public school curriculum. It's been over 200 years now, and we've proved that democracy, properly utilized, is the most workable system for all of us. Any reason we shouldn't keep extending it? Without exception, we'd all be better off.

#### SOIL CONSERVATION SERVICE FLOOD CONTROL PROGRAMS

#### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. GEJDENSON. Mr. Speaker, as you know, the Reagan administration has proposed cutting funding for the Soil Conservation Service [SCS] by 44 percent in its fiscal 1987 budget proposal. I believe that the administration's proposal is extremely irresponsible and would deal an irreparable blow to conservation efforts nationwide. SCS programs are crucial to reducing erosion, preserving farmland, and protecting our environment. In my home State of Connecticut SCS has many excellent programs, including an extremely innovative flood warning and audit program. I would hate to see the progress we have made preventing flood damage in Connecticut be lost because of massive cuts in the SCS budget.

The State of Connecticut has experienced serious flooding problems throughout its history. In August 1935, "a terrible flood washed away and buried the corn crops" in the lower Connecticut River Valley. Numerous times since then, floods have damaged crops, homes, businesses, and public property. The last floods in 1982 and 1984 caused over \$300 million in damages. Flood control meas-

ures prevented nearly \$1 billion more in damages from occurring.

Many of the remaining flooding problems in Connecticut cannot be solved by traditional flood control measures. Fortunately, the State of Connecticut, with the help of the Federal Government, has developed an innovative program to use flood warnings and flood audits to reduce flood damages. The USDA Soil Conservation Service [SCS] and the Connecticut Department of Environmental Protection [DEP] have purchased and installed automated precipitation gauges which send a radio signal to central computers at forecast centers after each millimeter of precipitation has fallen. Flood forecasters can use the information to predict flooding conditions well before flooding occurs so that people living in the floodplain can act quickly to minimize flood damage.

SCS also plans to conduct flood audits in many Connecticut towns which have experienced major flood damage in the past. These audits will include specific recommendations for land-use planning and other precautionary measures that will reduce flood damage. These audits, coupled with the flood warning system, will provide the mechanism to encourage voluntary behavior from citizens which will dramatically reduce flood damage in the future. These programs could save Connecticut up to \$5 million annually when they are fully implemented.

I applaud SCS's excellent programs in Connecticut and the rest of the Nation. I will continue to do all I can to prevent irresponsible cuts in these excellent programs. In the long run the economic and environmental costs resulting from the elimination of SCS programs would be far higher than the immediate savings produced by the administration's proposed 44-percent budget cut.

#### REPRESENTATIVE KEMP REVEALS "A LEGAL ARSENAL TO FIGHT THE TERRORISTS"

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. GILMAN. Mr. Speaker, our colleague, the gentleman from New York [Mr. KEMP] has recently written an extremely interesting column entitled "A Legal Arsenal To Fight the Terrorists," published in the Washington Times on April 30. In this thought-provoking article, Congressman KEMP sets forth several peaceful, legal means which may be employed against one terrorist organization, the PLO. According to Yasser Arafat, "the Palestinian revolution carried out 62 heroic operations"—in designating armed attacks, mainly against civilian targets. The proposed Kemp "arsenal" includes convening a grand jury, prosecuting the PLO under the Racketeer Influenced and Corrupt Organizations Act, and denying Arafat entry into the United States if he attempts to visit the United Nations.

I commend Mr. KEMP's article to the attention of my colleagues, and ask that it be printed in full at this point in the RECORD.

#### A LEGAL ARSENAL TO FIGHT THE TERRORISTS

Americans have overwhelmingly supported the president's decision to strike out against Libya's infrastructure of terrorism. As a nation that loves liberty and freedom, we have come to realize that we are engaged in the moral equivalent of war; that international terrorism is in reality a war against the democracies; and that we must be willing to employ all appropriate means at our disposal in our defense.

But it is not Libya alone that employs cadres of terrorists. For now, Col. Muammar Qaddafi, featured on the cover of Time magazine, may be in the public limelight as a mastermind of international terror—and rightly so. But in the shadows, far from passive, others are also at work in this deadly and evil endeavor. High on this list is the Palestine Liberation Organization.

By Yasser Arafat's accounting, 1985 was a good year for the PLO. It was a year in which "the Palestine revolution carried out 62 heroic operations"—by which he means armed attacks against a variety of targets, principally civilian, and many American. Yet despite this heavy tool and loss of life, he has said, "It is not enough. We must have more acts of resistance," adding, "I don't simply want, I demand, more commando operations . . ."

And lest we in the United States misunderstand, Mr. Arafat explained in November last year, "We are on the threshold of a fierce battle—not an Israeli-Palestinian battle, but a Palestinian-U.S. battle."

I think the time has come to take Mr. Arafat at his word—and hold him accountable for his deeds. Among the means at our disposal, little utilized to date, are the instruments of legal process available against Mr. Arafat and his PLO. For among other things, terrorist acts are crimes, and there is no earthly reason why their perpetrators should be immune from justice.

There are at least six steps worth exploration.

The first is for the Justice Department to convene a grand jury to investigate the series of criminal acts that have been committed against the United States and its citizens by Yasser Arafat's PLO. A grand jury can receive evidence in secret, and it has wide powers of subpoena. If it finds violations of U.S. laws, indictments should be issued.

The second is for the Justice Department to explore the possible prosecution of the PLO under the Racketeer Influenced and Corrupt Organizations Act. This statute makes it unlawful for an organization to engage in a pattern of criminal activities, and imputes criminal liability to the leadership for the criminal acts of its functionaries. Those who train, equip, and direct terrorist organizations should be held accountable for terrorist acts. RICO may be one way of ensuring that accountability.

A third step would be to obtain a warrant for Mr. Arafat's arrest for the murder of U.S. Ambassador Cleo Noel. According to press accounts, the United States has a tape recording of a telephone conversation in which the PLO leader personally orders Mr. Noel and other diplomats killed. The Justice Department obtained a warrant for the arrest of Muhammad "Abu" Abbas on substantially similar evidence. If the evidence exists against Mr. Arafat and jurisdiction obtains, then he, too, should be made to answer for his crimes.

A fourth step would be to take legal action against the PLO office in Washing-

ton, D.C. It is almost beyond belief that a group which the president has labeled a "terrorist organization" should be allowed to operate in the middle of our capital city as if it were just another diplomatic outpost. The United States could, as an act of policy, close it down. Moreover, the PLO office in Washington has failed to register under Section 2386 of the criminal code (requiring the registration of organizations under foreign control that are engaged in "civilian military activity") and should be subject to prosecution for that violation.

A fifth step would be legal action against the PLO mission in New York. It enjoys no diplomatic immunity under any agreement that the United States has signed. Again, the United States could as an act of policy close it down. The N.Y. mission would also be a target for criminal justice procedures aimed at its parent organization.

Finally, we could symbolize our abhorrence for all the reprehensible deeds that Mr. Arafat represents by making it clear that, if Mr. Arafat tries once again to come to New York to use the United Nations to wave his gun, we will not grant him an entry visa. The U.S. Congress reserved in 1947 (P.L. 357, Sec. 6) the right to deny visas to U.N. headquarters to anyone whose entrance might imperil U.S. security, and successive administrations have exercised that right on many occasions.

I suggest that Yasser Arafat has amply demonstrated his eligibility for exclusion. It is Mr. Arafat who controls the billion-dollar budget of the PLO and provides the salaries of the great majority of commandos and fedayeen. It is Mr. Arafat who controls the worldwide network of embassy-like PLO offices and missions, whose diplomatic immunity and pouches are used to move people, money, and equipment to carry out violent acts with impunity. It is Mr. Arafat who controls the assets that are used to make exchanges and alliances with the Sandinistas and the Red Brigades and the Baader Meinhof gang—indeed, as the White House reported in 1983, "with terrorist and guerrilla organizations around the world."

As we acknowledge Mr. Arafat's directorship of the PLO, so should we accord him the appropriate treatment under our laws.

Of course, action on these and other legal options will not, in itself, put an end to the threat of PLO terror. We must also consider what other actions may be necessary and be prepared to act. But these limited legal measures are eminently within the power of the United States. They can vastly complicate the operations of the PLO—particularly if supplemented by an active policy of asking our allies to surrender terrorists under indictment for extradition.

Our American tradition is grounded in the rule of law. We accept as an article of faith that no person is above the law. It is time that Yasser Arafat and other sponsors of international terror come to understand that crimes against the United States, our citizens, or our property, will not go unpunished.

## 25 YEARS OF SERVICE

### HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. GALLO. Mr. Speaker, on June 4, 1986, Father Denis McHugh, associate pastor of

Sacred Heart Church, Dover, NJ, will celebrate his 25th anniversary as a priest in the service of God and His flock.

Father McHugh came to our Garden State from the Emerald Isle and he has been an ambassador for goodness, an emissary from the gates of the garden, during his quarter century among us.

He deserves our special attention on this special day for him because he is a symbol of hope and good will in a time when these qualities are so desperately required.

Father McHugh was born in Skeabeg, Headford, in County Galway, Ireland. He attended the Kilcoona Grammar School and St. Jarlath's College in Tuam and later St. Patrick's Seminary in Barlow. Following his ordination on June 10, 1961 by Bishop Thomas Keogh at St. Patrick's Church in Kilcoona, he was assigned to St. Paul's, Clifton, NJ on September 8, 1961. In 1968, he was reassigned to Sacred Heart, Dover.

During his tenure at Sacred Heart, Father McHugh has exemplified the priesthood through his dedicated work with the youth of the parish and his continued devotion to the care of the sick. He has served as spiritual advisor to the CYO since 1968 and to the Leisure Club since its inception in 1973. A man of quiet demeanor, Father McHugh is an avid sports fan and when away from the rigors of parish life, can generally be found as an aggressive participant at either tennis or golf.

We wish Father McHugh well in his future assignments and ask God to bless him with the spiritual and physical strength necessary to the fulfillment of even more rewarding years in the priesthood.

## WE CAN DO IT

### HON. JOHN P. HAMMERSCHMIDT

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. HAMMERSCHMIDT. Mr. Speaker, "We Can Do It" is the title of a superb new film produced by the International Association of Machinists and Aerospace Workers and introduced last week at the annual conference of the President's Committee on Employment of the Handicapped at the Washington Hilton Hotel (April 30-May 2). "We Can Do It" was also the message given by Chad Colley of Barling, AR, who received the President's Trophy as this year's Handicapped American of the Year.

Colley, a triple amputee, wounded in Vietnam in 1968, was selected by the President's Committee from candidates throughout the United States for his efforts in improving opportunities for all disabled Americans as well as for his "We Can Do It" attitude. The immediate past commander of the Disabled American Veterans, Colley represents the spirit of the 2,000 participants at the President's Committee's conference.

Despite tight budgets and Government cutbacks, the men and women who gathered for the conference are not letting anything get in their way. They are determined to bring about acceptance and opportunities for disabled Americans through the close cooperation of

government, business, labor, professional organizations, and disabled people.

The "we can do it" attitude represented by Chad Colley and the participants in the conference are in the best of our traditions. The government, industry, and labor leaders who spoke to the conference participants caught this mood, and came away determined that this is one group of people who are not going to end up on the short end of the stick.

A recent Louis Harris poll found that disabled Americans attribute the gains they have made in the past 10 years to the role of the Federal Government. They see the Government's role as a promise of continuing support and encouragement, a compliment to their own efforts. "We Can Do It" was clearly the message of the exciting three-day President's Committee conference, a message that Chad Colley and other disabled Americans are carrying coast-to-coast, a message that no American can overlook.

## KILDEE PAYS TRIBUTE TO MR. LEE FURSE

### HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to the long and distinguished career of Mr. Leland Furse. Mr. Furse, who is retiring from General Motors after 45 illustrious years of service, will be honored in a retirement ceremony May 16, 1986, in Flint, MI.

Mr. Furse began his extraordinary career in 1941, leaving General Motors temporarily to courageously serve his country as a fighter pilot in World War II. After faithfully serving in our Nation's defense, Mr. Furse returned to GM where he swiftly rose through the corporate ranks. The dynamic and effective leadership abilities of Mr. Furse led to the inauguration of a new product line for Buick and ultimately lead to the restructuring of the Buick assembly plant into Buick City. His rich and rewarding career culminated with this promotion to general manager of the facility he created—Buick City.

The first of its kind in the country, Buick City is a high technology prototype for future automated production facilities. Buick City incorporates the integration of the very latest in computer technology, robotics, assembly procedures, and has revolutionized the concept of labor-management relations. As general manager of Buick City, Lee Furse has consistently demonstrated an uncanny ability to find simple solutions to complex problems. His brilliance in engineering and management have benefited not only General Motors, but the people of the Seventh Congressional District as well. As a result of Buick City and due to Mr. Furse's direct intervention and concern for this great community, thousands of jobs were retained in Flint. While continuing to serve the public in other capacities, Lee Furse will be sorely missed by both General Motors and the business community alike. With his unwavering dedication to quality and his intense desire to excel, I am confident Mr. Furse will enjoy great success in his future endeavors.



Mr. Speaker, during the last 45 years, Mr. Furse has demonstrated a sincere interest in the welfare of his community and in the human dignity of each person who has come in contact with him. Lee Furse epitomizes the highest standards and traditions of excellence and community service. It is indeed a great honor and privilege for me to pay tribute to this highly regarded and distinguished individual.

#### UNITED STATES-MEXICO INTER-PARLIAMENTARY CONFERENCE

##### HON. KEN KRAMER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. KRAMER. Mr. Speaker, I am honored for the opportunity to address a key area of concern to America; Our relationship with Mexico.

As we look ahead to the 26th United States-Mexico Interparliamentary Conference, which will be held in my home of Colorado Springs, we must recognize the importance of maintaining a sound relationship with our neighbor, one based on reciprocity and understanding. As well, we must always remember the vital role that Mexico plays in the world arena and, in particular, the Western Hemisphere.

A peaceful and prosperous Mexico is, I would not hesitate to say, essential if stability in Central America and, indeed, the hemisphere, is desired.

Falling oil prices, so beneficial to most of the United States and the other industrialized countries, only exacerbates financial pressure on Mexico. Its revenue from oil already has dropped considerably. As prices continue to fall in the face of overproduction and a worldwide glut, Mexico's economic horizon may only darken.

That, in turn, is unwelcome news for the United States. Not only does economic misery fuel political turmoil in Mexico, it adds to immigration pressures. And that is bad news for both countries. The harmful effects of illegal immigration on the United States are obvious, but the effects are equally damaging to Mexico. A nation's people are its greatest resource, more than any bridges, roads, machines, more than any gold, oil, iron ore. If Mexico continues to lose many of its bright, ambitious, hard-working citizens because it is unable to offer them hope and opportunity, it becomes weaker.

Also, a Mexico weakened by economic ills becomes more susceptible to Communist-inspired subversion. The examples around the world are too numerous to mention. We have seen this example before, so we must be on guard so that Mexico can grow and prosper while retaining democratic principles.

Our relations over time with Mexico have sometimes been strained. We fought a war a century and a half ago, a war whose prosecution and outcome some call unjust. Episodes like the Pancho Villa affair, the Zimmerman note, and the Veracruz expedition have only contributed to suspicion and tension. Mexico wonders why America fails to understand it;

Americans wonder why Mexico seems unable to help itself more. Given that legacy, we must exercise caution and display sensitivity in our approach to Mexico. We must treat our neighbor differently than we do, say, a country on the other side of the world. Proximity, history, and our common legacy demand as much.

With that in mind, I suggest we follow a two-pronged strategy. On a general level, we must help Mexico address the economic problems confronting it and take steps to help Mexico meet its challenges. We must encourage economic growth, for that is the only way we solve problems of poverty, overpopulation, and lost opportunity. We should work with the Mexican people and encourage innovation and creativity on their part. And we must continue to aid Mexico as it meets its debt obligations.

On a more individual level, we should encourage Americans to travel to Mexico, one of the beautiful and inspiring countries in the world. What better place to visit than this historic land. And we should encourage more of our citizens to learn Spanish. If we can communicate with our neighbors next door, we can learn more about them as well as we might if we could speak with each other. Personal contact and language affinity can do much to cement the bonds of friendship our two peoples have developed over the ages.

The United States-Mexico Interparliamentary Conference, of which I am proud to attend as a delegate, offers us the opportunity to discuss with our Mexican friends and colleagues the vital issues and challenges that await us both. We can learn more about one another and about our common concerns. I urge people everywhere to attend the conference or to follow its progress. And I urge Americans everywhere to be every mindful of our special relationship with Mexico.

#### CARE ANNIVERSARY

##### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. GILMAN. Mr. Speaker, for many years CARE has been working overtime taking care of the world's needy. Soon it will be its 40th anniversary. Permit me therefore to submit for the RECORD an eloquent statement by the President honoring CARE.

THE WHITE HOUSE,  
Washington, April 8, 1986.

I congratulate all of the wonderful people who have dedicated their time, their efforts and, yes, their real care to the work of the Cooperative for American Relief Everywhere—CARE. This is an especially proud occasion for your organization, and I know that Nancy is particularly honored to serve as Honorary Chairman on this, the fortieth anniversary of the founding of your magnificent enterprise.

The "everywhere" that now lends a letter to your familiar acronym is no exaggeration. In four short decades, your organization has developed a worldwide reputation for timely and effective assistance to the victims of calamity and conflict. Only those who received them will ever fully appreciate what a "CARE package" meant—and con-

tinues to mean. After the devastation of World War II, it meant that families in Europe were receiving the food and other necessities to survive and rebuild. It meant comfort in the present and hope for the future. It told the people of Europe that America would not only fight beside them in war, but would work beside them in peace to clear away the ruins and help them resurrect their lives and their dreams.

As you celebrate this milestone in your history, the work of CARE has expanded to many other continents, and so has the package of assistance you offer. No longer is the aid you provide simply shipped in bundles. CARE is present today in 36 developing countries conducting people-to-people assistance programs in the fields of nutrition, health, education, small enterprise development, and agroforestry. But the ideals that guided the founders of CARE have not changed—nor has the impact your programs have on the people whose lives you daily enrich.

Truly, CARE is meeting the challenge. With the millions of people you have helped, I join in a resounding "thank you." Again, congratulations, and may God continue to bless you in your noble mission.

RONALD REAGAN.

#### CALL IS OUT FOR SOVIETS TO HONOR HUMAN RIGHTS

##### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Mr. YATRON. Mr. Speaker, the Helsinki human rights process has been in existence for over a decade. I believe it has been a useful tool in pressuring the Soviet Union and its Eastern bloc allies on fundamental human rights issues, and has provided the West with a systematic mechanism to assess how the Communist countries live up to their international commitments on these matters. In this context, Helsinki serves as a poignant reminder of the realities and difficulties in negotiating meaningful agreements with these nations on arms control, economic issues, and other security concerns. Without sound verification, it is difficult to place a great deal of trust in treaties signed by leaders who have such disregard for the basic rights of their citizens or for their international obligations in this area.

The signing of the Helsinki final act raised the expectations of the Soviet and Eastern bloc people for greater observance of human rights and engendered the formation of citizens' monitoring groups to inform the world how these governments are complying with the accords. The monitors are indeed most courageous individuals, risking their lives to forward the human rights dimension of Helsinki. Clearly, their contribution to the cause of human rights cannot be overstated. Many of the monitors have been harassed, tortured, imprisoned, and subject to other brutal forms of abuse. Some have even died of inhumane treatment in labor prisons.

November 7, 1986 marks the 10th anniversary of the establishment of the largest such citizens group, the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords. This group has helped to provide the

impetus for human rights activists to demand not only that the Kremlin uphold the human rights guaranteed by the Soviet Constitution, the Helsinki final act, and other international human rights declarations and covenants, but also to assert that the Western democracies have a solemn responsibility to support the struggle for achievement of human rights of Ukrainians and other peoples living under Soviet domination.

Despite the Geneva summit, the Soviet Union continues to violate the human rights provisions of the Helsinki final act and other international human rights agreements by denying its citizens freedom of speech, press, assembly, association, religion, fair trial, and many others. Through intensive russification, ethnocide, repression, and imprisonment the Soviets have endeavored to smother all manifestations of national identity. They have also denied the rights of family reunification and emigration.

As chairman of the Subcommittee on Human Rights and International Organizations, I have conducted extensive hearings and investigations of the human rights situation in the Soviet Union. I have also worked to provide succor to those suffering under the heavy hand of Soviet oppression and help the monitors in their efforts. As a further step toward these ends, I, along with my good friend and colleague, Congressman BILL BROOMFIELD, who, as the ranking minority member of the Foreign Affairs Committee, has been an outstanding leader on these issues, have introduced a resolution condemning the persecution of members of the Ukrainian and other public Helsinki Monitoring Groups.

The measure calls on the President to press Soviet leaders to release all imprisoned and exiled Helsinki monitors, and to allow the monitors to emigrate to the countries of their choice. The measure also calls on the administration to ensure that the consulate in Kiev reports on Soviet human rights abuses in the Ukrainian Republic. The Ukrainian people have suffered tremendously under the Soviet system. They were the victims of Stalin's 1932-33 Great Famine in the Ukraine, and Congress passed a measure to establish a commission to study this unmitigated tragedy. The resolution calls particular attention to Ukrainian monitors within the context of recognizing the plight and importance of all monitors in the U.S.S.R.

The joint statement issued at the Geneva summit called for cooperation on humanitarian issues. The Soviets have made some gestures on human rights issues in releasing Mr. Shcharansky, allowing Ms. Bonner to travel to the West, and permitting some families to reunite. However, the list of abuses committed by the Kremlin is appalling and the jails are filled with political prisoners. Soviet credibility on this issue would be greatly enhanced, and U.S.-U.S.S.R. relations significantly improved, if Kremlin leaders released jailed monitors, as well as other political prisoners, and began to respect the rights of their citizens. I believe our bill is an important step in keeping this issue at the forefront of our relations with the Soviet Union.

#### H. CON. RES. 332

Concurrent resolution concerning the Soviet Union's persecution of members of the Ukrainian and other public Helsinki Monitoring Groups

Whereas on August 1, 1975, the Final Act of the Conference on Security and Cooperation in Europe was signed at Helsinki, Finland, by 33 European states, together with Canada and the United States;

Whereas the signatories of the Helsinki Final Act committed themselves under Principle VII to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion;

Whereas Principle VII specifically confirms the "right of the individual to know and act upon his rights and duties" in the field of human rights, and Principle IX of the Final Act confirms the relevant and positive role organizations and persons can play in contributing toward the achievement of cooperation among nations;

Whereas the signing of the Final Act raised the expectations of the peoples of the Soviet Union for greater observance by the Soviet Union of human rights, and engendered the formation of the Moscow, Lithuanian, Georgian, Armenian, and Ukrainian citizens' monitoring groups to inform the peoples of the Soviet Union and the world with regard to the Soviet Government's compliance with the Final Act;

Whereas affiliated groups—the Psychiatric Abuse Commission, the Christian Committee, the Adventists Rights Group, the Catholic Committee, the Ukrainian Catholic Initiative Committee, and the Disabled Rights Group—later were established by citizens to address areas of specific concern;

Whereas four members of Helsinki Monitoring Groups, Oleksiy Tykhy, Yuri Lytvyn, and Vasyly Stus of the Ukrainian Group and Eduard Arutunyan of the Armenian Group, died after years of inhumane treatment in Soviet labor camps;

Whereas November 7, 1986, marks the tenth anniversary of the establishment of the largest such citizens group, the Ukrainian Public Group to Promote the Implementation of the Helsinki Accords;

Whereas the establishment of this group coincides with the opening on November 4, 1986, of the Vienna Review Meeting of the Conference on Security and Cooperation in Europe;

Whereas the Ukrainian Helsinki Monitoring Group opened a new phase in the Ukrainian struggle for human and national rights, providing impetus for human rights activists to demand not only that the Soviet Government uphold the human rights guaranteed by the Soviet Constitution, the Helsinki Final Act, and other international human rights declarations and covenants, but also to assert that the Western democracies have a solemn responsibility to support the struggle for achievement of human rights of Ukrainians and other peoples living under Soviet domination;

Whereas the Soviet Union continues to violate the human rights provisions of the Helsinki Final Act and other international human rights declarations and covenants by denying to the citizens of Ukraine and other Soviet Republic rights of national identity and basic human rights through intensified russification, ethnocide, repression, and imprisonment of the citizens of Ukraine and other Soviet Republics who lawfully engage in calling the Soviet Government to account for violations of human,

national, and religious rights as well as the rights of family reunification and emigration; and

Whereas the blatant disregard by the Soviet Union of the humanitarian provisions of the Helsinki Final Act and other international human rights declarations and covenants, in particular its persecution of the members of Ukrainian and other public Helsinki Monitoring Groups, contribute to tensions between East and West and give rise to doubts about Soviet commitments to their international obligations: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),*

#### SECTION 1. DISCUSSIONS WITH THE SOVIET UNION CONCERNING THE UKRAINIAN AND OTHER PUBLIC HELSINKI MONITORING GROUPS.

It is the sense of Congress that the President and the Secretary of State should firmly insist at the Vienna Review Meeting of the Conference on Security and Cooperation in Europe, and at all other appropriate opportunities for discussions with the leadership of the Communist Party and Government of the Soviet Union, that—

(1) imprisoned and exiled members of the Ukrainian and other public Helsinki Monitoring Groups in the Soviet Union be released from their incarceration in the spirit of the Final Act of the Conference on Security and Cooperation in Europe; and

(2) members of the Ukrainian and other public Helsinki Monitoring Groups be allowed to emigrate to the countries of their choice.

#### SEC. 2. INFORMATION ON HUMAN RIGHTS VIOLATIONS IN THE UKRAINIAN REPUBLIC.

It is the sense of the Congress that—

(1) the Secretary of State should ensure that the United States consulate in Kiev reports on Soviet human rights violations in the Ukrainian Republic, and

(2) information provided by that consulate on those violations should be included in the semi-annual reports on compliance with the Helsinki Final Act which are submitted by the President to the Commission on Security and Cooperation in Europe pursuant to Public Law 94-304.

#### SEC. 3. TRANSMITTAL OF RESOLUTION TO PRESIDENT AND SECRETARY OF STATE.

The Clerk of the House of Representatives shall transmit copies of this resolution to the President and Secretary of State.

#### THE AMERICAN LATVIAN ASSOCIATION'S 35TH ANNIVERSARY

**HON. BARBARA A. MIKULSKI**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 6, 1986

Ms. MIKULSKI. Mr. Speaker, today I would like to commemorate the 35th anniversary of the founding of the American Latvian Association—a group that fights for the national, political, and religious rights of their brothers and sisters behind the Iron Curtain. I would also like to note that April 27, 1986, marked the 25th anniversary of the foundation of the Joint Baltic American National Committee, of which the ALA was a cofounder.

Sixty-eight years ago, Latvia became a free and independent nation. But in 1940, the Soviet Red Army marched in and seized control of the government and the land. To this



day the Soviet Union continues to repress the cultural and social traditions of the Latvian people.

For 46 years the United States has refused to recognize the Soviet takeover of Latvia. Rather, we choose to recognize the Latvian people's right to self-determination.

Latvians continue to demonstrate tremendous courage in the face of constant Soviet repression and religious persecution. Latvian culture and tradition still thrive. All Latvians retain a strong desire for freedom, and it is this desire from which they get their strength.

Mr. Speaker, the overwhelming commitment to freedom and justice of the American Latvian Association is an inspiration to us all. I pledge my firm support of their efforts to preserve for all Latvians their national character, their national culture, and their right to stand as a free and independent nation.

#### A CONGRESSIONAL SALUTE TO ISABEL PATTERSON

**HON. GLENN M. ANDERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. ANDERSON. Mr. Speaker, I rise today to pay tribute to Isabel Patterson, a community leader in my district, who will be honored at a recognition dinner at the 102d annual meeting of the YMCA of Greater Long Beach, CA, on May 13, 1986.

Isabel Patterson came to Long Beach from Amarillo, TX in 1942. She worked at the Port of Embarkation in Wilmington, CA, and later was a purchasing agent for the post engineers in Palm Springs, CA. She worked for the post engineers until the end of World War II. She then went to work as a chief accounting clerk for the Navy in the Pacific.

Returning to Long Beach in 1949, Ms. Patterson noticed a short paragraph in the newspaper about the founding of the California State University-Long Beach. She was the 18th student to enroll in 1949 and by 1952 she received her B.A. degree and her teaching credentials. For 4 years she taught in the Long Beach Unified School District. At the suggestion of her brother, she stopped teaching and embarked on a career in real estate. As a realtor, Isabel Patterson has been fantastically successful. She has since retired from the business.

In addition to being a successful businesswoman, Isabel Patterson has been tireless in her active support for, and work with numerous community organizations. She is on, or has served on the board of directors of at least eight community organizations and educational institutions. She has been extremely generous in her philanthropic activities. A greater believer in philanthropy, Isabel Patterson has been extremely generous with many local organizations, most notably, the Greater Long Beach YMCA, the Long Beach City College and the California State University-Long Beach. She has also given of her time to serve on the city of Long Beach Planning Commission. Clearly, it would take far too much time to mention all the contributions of time, energy and attention that Isabel Patterson

has given to the people of Long Beach and the neighboring communities. I am sure that the people in and around my district will continue to look to Isabel Patterson for leadership in community activities.

It is with great pride that my wife, Lee, joins me in congratulating Isabel Patterson and in wishing her all the best in the years ahead.

#### GI BILL IMPORTANT TO STRONG NATIONAL DEFENSE

**HON. G.V. (SONNY) MONTGOMERY**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. MONTGOMERY. Mr. Speaker, there follows a copy of a letter written recently to the Honorable Chapman B. Cox, Assistant Secretary of Defense for Force Management and Personnel, from the executive director of the Enlisted Association of the National Guard of the United States.

The association strongly supports the new GI bill enacted by the Congress. Mr. Speaker, as you and my colleagues in the House know, the administration, unfortunately, has proposed that the new GI bill be terminated even though it only became effective on July 1 of last year. How tragic it would be were this to happen. Not only does the new GI bill help thousands of Americans get college educations, who would not otherwise be able to do so, it also is a major recruitment tool for both the Active and Reserve Forces for top quality personnel.

I commend the Enlisted Association of the National Guard for its strong support of the new GI bill and applaud its efforts in getting the word out to its members on the importance of maintaining this excellent education program for our military personnel.

EANGUS,

*Washington, DC, April 10, 1986.*

Hon. CHAPMAN B. COX,  
Assistant Secretary of Defense for Force  
Management and Personnel, Washington, DC.

DEAR SIR: Thank you for your recent letter explaining the Administrations view on the New GI Bill. Unfortunately, we cannot agree that the Veterans' Educational Assistance Program (VEAP) accomplishes the same goals at a lower cost. We have seen no public evidence to support this claim. In fact, it is becoming increasingly clear that the services are at odds with the Administration on this issue.

We welcome your assurance that 'total force' doctrine is alive and well, but take little comfort in that assurance in light of recent DOD actions on this and other Reserve incentive programs. We continue to view with alarm the willingness of the Department to cut, or fail to support, incentives for the Reserve components.

In our opinion, too much emphasis is placed on the successes in recruiting and retention in the Reserve components in the recent past. The halcyon days of Reserve growth, again in our opinion, are over. Conditions of economics, demographics and world politics have significantly changed the attraction of a Reserve military commitment. We believe it is time to re-examine Reserve Forces management in light of these changes.

The New GI Bill is the type of 'attention-grabber' that we need to continue to attract bright young Americans into the Reserve components in this changing environment. It appeals not only to the individuals' desire to achieve, but encourages young Americans to obtain college educations that will ultimately enhance national interests as well by contributing to defense, R&D, communications, electronics and technology application concerns of the future.

EANGUS strongly supports retention and continued funding for the New GI Bill. We view a 'step-back' action as far more destructive than the cost factor could justify. We urge the Department of Defense to reconsider their actions on this issue.

Sincerely,

ALAN D. OBERMILLER,  
Executive Director.

#### IN APPRECIATION OF CLINICAL SOCIAL WORKERS

**HON. MARY ROSE OAKAR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Ms. OAKAR. Mr. Speaker, recently, I had the pleasure of receiving a certificate of appreciation from the National Federation of Societies for Clinical Social Work, on behalf of myself and the staff of the Subcommittee on Compensation and Employee Benefits, for our efforts to improve coverage for mental health care under the Federal Employees Health Benefits Program [FEHBP].

Private industry long ago learned that by attending to the mental health needs of employees, they could reduce costly employee absences, on-the-job accidents, and health insurance claims for physician care and hospitalization to treat the physical symptoms of underlying emotional distress.

Regrettably, Congress has been slow to learn from the experience of private industry. Mental health coverage in the FEHBP lags far behind the coverage for physical illness and injury. The Medicare program is even further behind, for reasons which have more to do with the stigma of mental illness than with sound health care policy.

A past president of the National Federation, Marsha Wineburgh, cites the experience of one of her patients, a 67-year-old woman who suffered severe abdominal pains after she was laid off from her job. Medicare paid for extensive medical tests, exploratory surgery, and other treatments, none of which stopped this patient's abdominal pains. Finally, the patient was referred to a clinical social worker for mental health therapy, following which her pains and her depression ceased. However, Medicare would not pay for this mental health therapy. The reason is that Medicare's mental health coverage is woefully inadequate, and because the program will not reimburse such services provided by a nonphysician professional.

Clinical social workers provide the majority of outpatient mental health care in the United States. They are licensed or certified by State law in 38 jurisdictions. Fifteen States mandate that patients be given the right to choose a clinical social work provider when they need

mental health services which are otherwise covered under group insurance. CHAMPUS recognizes clinical social workers as independent providers of service, as do many private insurance companies and most of the FEHBP carriers.

At the insistence of Congress, the Health Care Financing Administration is conducting a demonstration project to ascertain the impact on cost and utilization of expanding the Medicare provider base to include clinical social workers. Recently, the Office of Personnel Management studied the experience of the FEHBP carriers in this respect, and found that the fears of increased utilization and cost were unfounded.

Mr. Speaker, I am glad to take this opportunity to recognize the clinical social work profession and the dedicated mental health professionals of all disciplines who provide essential services to the American people through our Nation's mental health care delivery system. I urge my colleagues to join with me in improving the extent of mental health coverage under the various Federal health insurance programs, including Medicare and the FEHBP.

#### STATE RESPONSE TO THE LIABILITY CRISIS

**HON. JOHN EDWARD PORTER**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. PORTER. Mr. Speaker, the uproar in the country over liability insurance is continuing. One company in my district, the Wacker Group, has liability bills this year that are \$1 million higher than budgeted based on last year's figures. This company has just completed a new research and development facility, but is deferring its staffing and operation indefinitely because of the unexpected financial drain.

When you multiply this deferral of research activities, purchases of capital equipment, and hiring of new employees by all of the businesses and government units in the country that have been hit by this crisis, we are talking about a significant depressive effect on our country's economic growth.

The liability crisis is also hurting many other critical areas of our national life, including the availability and price of medical care in high-risk specialties and the provision of essential public services.

State governments have primary responsibility for solving liability problems. In Illinois, 63 organizations ranging from the Illinois Library Association to the Industrial Council of Northwest Chicago have joined together to form the Illinois Coalition on the Insurance Crisis. This coalition already includes businesses and local governments employing half of Illinois' work force and works closely with Governor Thompson. It has investigated important aspects of the liability issues and is working with leaders in the Illinois General Assembly to enact long- and short-term remedies for the liability crisis during the current legislative session. This kind of serious grappling with liability issues is needed in all the states.

As a prod to such a state response in the medical field, Representative Stark and I introduced a resolution, House Resolution 386, urging all the States to take action to address the severe impact on medical cost and quality of the medical malpractice liability crisis. This resolution calls for state action in four basic areas: in identifying and controlling negligent providers, in making sure that the insurance industry is regulated in a way that protects consumers, in reforming State tort laws to insure predictability and compensability of injuries, and in encouraging the voluntary use of alternative means of settling malpractice disputes. We continue to welcome cosponsors of House Resolution 386.

The principles embodied in this resolution apply broadly to other liability areas where States need to act to promote better risk management, availability of insurance, predictable tort law outcomes, and validation of alternatives to litigation to resolve disputes. If the States do not act in meaningful ways to address the liability crisis, pressure for Federal usurpation of jurisdiction over liability-related tort and insurance matters will continue to build to the point where Federal action is unavoidable.

#### INCREASE IN LOAN GUARANTY MAXIMUM

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. SMITH of New Jersey. Mr. Speaker, today I am introducing legislation to increase the maximum amount of the VA home loan guaranty from \$27,500 to \$33,500.

The VA mortgage guarantee program has helped more than 11 million veterans purchase homes. The program facilitates credit extension on favorable terms by private lenders to veterans for home purchases and guarantees up to 60 percent of the total cost. The veteran substitutes the Government's guaranty on loans in lieu of the substantial down payments, relatively short terms, and other investment safeguards applicable to conventional mortgage transactions.

It is a program that has been attractive to both buyers and sellers, providing veterans with a chance to buy a home with little cash investment. Mortgage lenders have found these veterans loans to be sound investments. Indeed, the program has infused more than \$200 billion of investment into our economy since its inception in 1944.

The program has generally operated very smoothly, Mr. Chairman. I am very concerned, however, that the mortgage guaranty limit has not been changed in 6 years. This concern has been echoed by veterans, mortgage bankers, realtors, and homebuilders. Since the limit was last raised in 1980, the U.S. Department of Commerce has reported a price increase for new home median sales of over 24 percent.

There are a growing number of areas nationwide, my own State of New Jersey included, where the veterans home loan guaranty program is being outpriced by housing costs.

Housing costs in areas like Metropolitan New York or California typically run 50 to 60 percent above the national average.

The VA estimated that the median loan amount for calendar year 1985 was between \$66,000 and \$67,000. In testimony before the Veterans' Affairs Committee last year, the National Association of Realtors revealed that the median sale price for existing single family homes exceeds this loan amount in a number of densely populated veterans' States and metropolitan areas nationwide such as Boston, New York, Philadelphia, and Washington, DC.

From 1974 to 1985, the median price of new single family homes sold jumped from \$35,900 to \$83,300, or 132 percent. Had the VA maximum guaranty been adjusted annually in equal proportion to the increase in new home prices, the 1985 guaranty would have reached \$40,600.

Similarly, adjusting the VA maximum guaranty for annual increases in existing home prices would have resulted in a maximum guaranty of over \$40,600 this year.

Clearly, Mr. Chairman, the maximum of \$27,500 must be raised to a level more reflective of the current housing market. By increasing the VA mortgage guaranty limit, the program will support a higher principal loan amount which will translate into an increased dollar amount of the 1 percent user fee into the VA revolving fund, further adding to the fiscal health of the program.

I urge my colleagues to join me in this effort by cosponsoring this legislation.

#### DEFINITION OF MEDICAL SEVERITY OF DISABILITY: IT'S TIME TO CONSIDER THE "BIG" PICTURE

**HON. THOMAS J. TAUKE**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. TAUKE. Mr. Speaker, today I am introducing legislation that will end a disruptive and costly controversy between the Federal judiciary and the Social Security Administration. The controversy centers around 1 of the 5 steps of the sequential evaluation process used by SSA to decide disability claims. During the second step of the process, a disability claim may be denied without consideration of vocational factors. To determine the severity of a claimant's impairment, vocational activities should be incorporated in the disability determination process.

Currently, there is a conflict among the circuit courts regarding this issue; at least seven class action suits have been certified by various courts on the premise that the second step of the sequential evaluation process is contrary to the Social Security Act. As a result of one of these cases (Johnson—seventh circuit), a petition for a writ of certiorari before the Supreme Court has been filed. If the writ is granted, however, the case will not be heard until the fall term.

Are denials of claims simply on the basis of a nonsevere impairment without consideration of vocational factors permissible under the



statute and consistent with congressional intent? Has SSA properly interpreted the concept itself?

The legislative history of the disability program clearly demonstrates that Congress intended for medical conditions to be the predominant factor when determining eligibility for disability benefits. SSA's regulations have always reflected this intent by permitting both allowances and denials on the basis of medical evidence alone. In 1976, approximately 15 percent of denials were strictly based on medical considerations. This percentage rose to an alarming 50 percent in 1983 and created growing concerns within the courts and within Congress.

The Disability Benefits Reform Act of 1984 addressed this concern by requiring the Secretary to consider the combined impact of all impairments on the ability to perform substantial gainful activity [SGA]. To assess the severity of one impairment, classify it as nonsevere, and deny the claim does not adequately or fairly determine disability. This provision specifically rejected the policy stated in a Social Security ruling that "inasmuch as a nonsevere impairment is one which does not significantly limit basic work-related functions, neither will a combination of two or more such impairments significantly restrict the basic work-related functions needed to do most jobs."

At the same time, however, it appears that Congress endorsed the nonsevere concept as a basis for denial within the existing sequential evaluation process. The conference report on the amendment stipulates: The conference also believes that in the interests of reasonable administrative flexibility and efficiency, a determination that an individual is not disabled may be based on a judgment that an individual has no impairment, or that the medical severity of his impairment or combination of impairments is slight enough to warrant a presumption, even without a full evaluation of vocational factors, that the individual's ability to perform SGA is not seriously affected. The current "sequential evaluation process" allows such a determination and the conferees do not intend to either eliminate or impair the use of that process.

Moreover, the language of the amendment itself (section 4c), which is quoted below, appears to presume that the second step of the sequential evaluation process permits a denial without consideration of past work or vocational factors: In determining whether an individual's physical or mental impairment or impairments are of a sufficient medical severity that such impairment or impairments could be the basis of eligibility under this section, the Secretary shall consider the combined effects of all of the individual's impairments without regard to whether any such impairment, if considered separately, would be of such severity. If the Secretary does find a medically severe combination of impairments, the combined impact of the impairments shall be considered throughout the disability determination process.

The last sentence obviously implies that if the Secretary does not find medically severe combination of impairments, the disability determination stops (at the second step). Thus, there is little doubt that the concept embodied

in the second step of the sequential evaluation process is consistent with the statute itself and congressional intent and should be upheld by the Supreme Court.

How SSA has been and continues to apply the concept is another matter. In response to adverse court decisions, SSA has published another ruling which has the effect of virtually eliminating the application of the nonsevere impairment concept. This negates the congressional intent that "reasonable administrative flexibility and efficiency" should be afforded in processing cases of individuals who clearly do not meet the medical severity test inherent in the statutory definition of disability. Clearly, congressional direction is necessary for both SSA and the courts to correct apply the nonsevere concept. The essential feature of this directive should provide that the statutory definition of disability has not been satisfied when a claim is correctly denied due to a lack of medical severity.

This legislation reaffirms a basic premise that the medical severity of an impairment must be the predominant cause for the inability to engage in SGA; and provides a workable and understandable definition of a nonsevere impairment that is directly related to the definition of disability contained in the statute. Denial of some claims without consideration of vocational factors and/or multiple disabilities will cease because this proposal will incorporate the longstanding congressional intent that such denials are permissible only under very limited circumstances. By revising the statutory language to clearly define these limited circumstances, the primary objective of the disability insurance program will be accurately achieved: Benefits will be paid to those who are entitled and for whom Congress intended the program to protect.

#### IN MEMORIAM: THE HONORABLE DEWITT HYDE

**HON. BEVERLY B. BYRON**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mrs. BYRON. Mr. Speaker, I rise to express my sorrow over the death of Dewitt Hyde, a former Member of this House who for 6 years represented and served with distinction the people of western Maryland.

Dewitt Hyde was in every sense of the word a public servant. He served 20 years on the bench as a municipal court judge in Washington, 6 years in the Maryland General Assembly, and three terms as a Republican Congressman from Montgomery County in the mid-1950's. In his years in Congress, Judge Hyde devoted much of his time and energies to addressing issues and problems concerning the local area. As the vice chairman of the Joint Committee on Washington Metropolitan Problems, Judge Hyde was among the first to call for an extensive study of the pollution of the Potomac River.

His committee was also instrumental in studying the transit and traffic problems of the city, and he was a sponsor of the legislation that created the Washington Area Transit Regulatory Commission. That commission

today is known as the Washington Metropolitan Area Transit Authority.

For a man of unusual prescience, Dewitt Hyde preferred to let his work speak for itself. It is with sadness that I must say that his life of work and service to the people of this city is now at an end. We will miss him. My thoughts and prayers go out to his family.

#### MILITARY CHAPLAINS FAITH BALANCE ACT

**HON. BENJAMIN A. GILMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. GILMAN. Mr. Speaker, I rise today to urge my colleagues to support H.R. 1875, the Military Chaplains Faith Balance Act of 1984. The gentlewoman from Maryland, Mrs. BENTLEY, is commended for her sensitivity to the religious needs of our military servicemen and women.

H.R. 1875 seeks to achieve a more balanced representation of religious faiths among Armed Forces chaplains. I feel that such an initiative reflects favorably on this Nation's ability to promote equal representation in terms of an individual's religious upbringing. Why not provide these exceptional men and women who serve this country so faithfully a place of counsel which best fits their needs?

Most of us will agree that religious freedom in this country is taken for granted. Our ability to enter the place of worship of our choice is as much a part of our life as breathing. It is a testimony to this great Nation that we can choose where, when, and if, we wish to exercise our rights of religious freedom. Why not extend this same basic right to the men and women of our Armed Forces?

Our Founding Fathers believed in the philosophy of equal representation before the law. It is now our duty to see that this philosophy is upheld and reflected in our actions. Accordingly, I urge full support of H.R. 1875, so that we may ensure that religious expression is not unintentionally stifled because of a lack of adequate representation.

#### TRIBUTE TO REV. JOSEPH FULLER, JR.

**HON. WILLIAM H. GRAY III**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. GRAY of Pennsylvania. Mr. Speaker, I rise today to bring to the attention of this body a wonderful human being and clergyman, Rev. Joseph Fuller, Jr.

On Friday, May 16, 1986, Mr. Fuller will be honored in Philadelphia at a recognition banquet for his 11 years as pastor of the Mount Sinai Tabernacle Baptist Church.

The distinguished reverend is not only a native-born Philadelphian and friend, but he was reared at Bright Hope Baptist Church, where I am senior pastor and where my late grandfather baptised him.

Paraphrasing the late Dr. Martin Luther King, Jr., Joe Fuller has been concerned not only with the souls of men but also with "the slums that damn them, the economic conditions that strangle them, and the social conditions that cripple them."

He currently serves as secretary of Strawberry Square, a nonprofit corporation that has built a shopping center at 29th and York in North Philadelphia, one of the more economically deprived areas of the city. This center was built with the help of a \$650,000 UDAG grant.

Reverend Fuller's church sponsors the mayor's literacy program and houses both a Cub Pack and Scout Troop.

In addition, he is a member of the Education Committee of Black Clergy of Philadelphia and Vicinity as well as a convenor of the black-Jewish dialogue.

He also holds membership in the Philadelphia Baptist Association and he is a past president of the Baptist Ministers Conference of Philadelphia and Vicinity.

Reverend Fuller also serves as vice president of the eastern region of the Pennsylvania Baptist State Convention and is currently the chairman of the Home Mission Board.

He has been a member of the Progressive National Baptist Convention since 1970.

It is with great pride that I salute Reverend Fuller on this momentous occasion.

#### IN HONOR OF ROCCO SICILIANO

##### HON. MEL LEVINE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. LEVINE of California. Mr. Speaker, I rise today to ask that you and my distinguished colleagues join me in saluting an extraordinary American and a man I am proud to call my friend, Rocco Siciliano.

Rocco Siciliano is the recipient of the prestigious Anti-Defamation League's American Heritage Award and will be honored at a gala affair in Los Angeles tonight. To mark this event, I would like to highlight a few of the many outstanding achievements of this remarkable individual.

In business as well as community work, Siciliano is recognized as an inspirational and tireless leader. He has enjoyed an outstanding career at TICOR, a Los Angeles based financial services company where he became president in 1971, chief operating officer in 1973, and chairman and chief executive officer in 1976, serving in those capacities until 1984.

On February 1, 1984 the company became privately owned and Siciliano, one of the investors, served as chairman of the executive committee. He is now of counsel to the national law firm of Jones, Day, Reavis and Pogue.

Prior to joining TICOR, Siciliano served as Under Secretary of the U.S. Department of Commerce from January 1969 through March 1971. As the principal deputy, he was responsible for overall management of the department.

Siciliano also served in the Eisenhower administration. From 1953 to 1957, he was as-

sistant secretary of labor. In 1957, he was appointed special assistant to the President on management policies, wage rates, and employment systems for all Federal civilian employees.

He is active in many voluntary and professional activities. He serves as chairman of the Los Angeles Philharmonic Association, as member of the board of governors of the Performing Arts Council of the Music Center, and as trustee of the Museum of Contemporary art.

He is a member of the National Academy of Public Administration and a board member of the National Conference of Christians and Jews, and is a trustee and a vice chairman of the Committee for Economic Development of New York and Washington, DC.

Siciliano also serves as a member of the board of directors of Pacific Lighting Corp. and is a trustee of the J. Paul Getty Trust.

His wife for 39 years is the very gifted Marion Stiebel Siciliano, a modern artist and mother of their five children.

It is a pleasure to share Siciliano's achievements with the leadership and members of the U.S. House of Representatives. I ask that my colleagues join me in commending him for his many outstanding accomplishments. Rocco Siciliano is an exceptional person and most deserving of this special honor.

#### ARMENIAN MARTYRS DAY

##### HON. BOBBI FIEDLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, April 22, 1986*

Ms. FIEDLER. Mr. Speaker, I am pleased to join with my colleagues in the commemoration of "Armenian Martyrs Day."

In the early 1930's, the silence settling over the graves of 1½ million Armenians, emboldened Hitler to proceed with his murderous plans. "Who remembers the Armenians," he asked. So in a sense the anniversary we commemorate this month, of the onset of the Ottoman empire's massacre and expulsion of its Armenian subjects, is the anniversary of modern genocide. It is the anniversary of the horror of the modern state, with its powers and its minions and its technology, bent on the destruction of any minority which might become its target.

Within a few years of the Armenian genocide, Stalin murdered whole classes, starved millions of Ukrainians, persecuted and departed entire ethnic minorities. Six million Jews went to the gas chambers, along with millions more gypsies, Russians, Poles, and other "untermenschen." Only 10 years ago, Pol Pot and his gangs of murderous teenagers depopulated the cities of Kampuchea, killing 3 million people.

But for the Armenian people, the events of 1915-23 are more than the keynote of a barbarous century. They mark the destruction and diaspora of a great and ancient culture. For over 2,600 years, Armenians have tenaciously guarded their national, cultural, and religious identity, both as an independent state, and under waves of invaders such as the As-

syrians, the Persians, the Romans, and the Seljuk and Ottoman Turks. In the first century, the Armenian empire of Tigran the Great stretched from the Caspian sea to Egypt. The Armenian Church, established in the fifth century, was the oldest of the independent, national churches and had served as a national beacon of unity through the centuries.

The Armenian people entered the 20th century, a century promising peace and prosperity, with a hope of freedom and independence they shared with the other subject peoples of the vast multinational empires. But for the Armenians, the century would bring exile and death, although, it is interesting to note, the allies had promised the Armenians a state of their own, and President Woodrow Wilson actually drew up boundaries for such a state in 1920. Instead, the Ottoman empire embarked on a campaign of genocide against the Armenian minority, killing 1½-million people and converting thousands of Christian Armenians to Islam under duress.

Today, as we mourn these dead, we are heartened by the knowledge that nothing, not even this, could kill the proud spirit of the Armenian people. Some 6 million are scattered around the globe, half a million in the United States. Their spiritual homeland is not on the map. It lies divided between Turkey and the Soviet Union. The majestic snow-capped summit of Mount Ararat, Armenia's most hallowed landmark, beckons to those Armenians trapped in the Soviet Union.

Today, we gather to prove Hitler wrong. We remember the Armenians, we remember the Jews, the Kulaks, the Kampuchians, and all other victims of genocide. And by remembering, we do our part to ensure these atrocities will not happen again.

#### NICARAGUA: WHAT CENSORSHIP IS REALLY LIKE

##### HON. G. WILLIAM WHITEHURST

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. WHITEHURST. Mr. Speaker, much has been written and said about the issue of human rights in Nicaragua. Today's Washington Post op-ed page carried an article by the managing editor of La Prensa, the Managua daily newspaper. Mr. Horacio Ruiz is in the best possible position to deal with the issue of censorship by the Sandinista government, and I would urge all of my colleagues to read it carefully.

Mr. Ruiz's final sentence puts the issue in its real perspective: "Freedom of the press (in Nicaragua) would be the Sandinistas' death sentence."

Thank you, Mr. Speaker.

#### NICARAGUA: WHAT CENSORSHIP IS REALLY LIKE

MANAGUA.—On the day in March 1982 that the Sandinista government declared a state of emergency in Nicaragua, the official censor of the Sandinista government, Capt. Nelba Blandon, telephoned the editors of La Prensa and called them to an urgent meeting. When they arrived at her office, she informed them of the imposition of total cen-



sorship to protect the security of the state and to defend the popular Sandinista revolution against the aggression of "gringo imperialism." This meant, in effect, the censorship of ideology.

With these few words the censor announced that the intentions of the government were not just to suppress certain articles that could harm its image or that could represent a security threat to the Sandinista state, but to suppress the way of thinking of the editors who plan, produce and select the news content of the paper and who direct its orientation. This ideological censorship reverberates like a distant echo and at times is lost in forgetfulness, but today, after four years of this Kafkaesque censorship and the mental exasperation that it creates, Blandon's words have been turned into the most refined kind of tyranny. Orwell's prophecy of what 1984 would be like was on the mark.

Blandon could be accommodating and even jovial at times, but at other times she could be insulting and belligerent. She has an inflated ego, which makes her feel that she must completely control the way people express themselves, think and give their opinions in the Nicaraguan press. She often speaks in the first person with the authority of a little dictator, full of haughtiness. "I cannot permit you to put this in the paper," she says. Sometimes she suggests substituting an official government statement for something she has not allowed in the paper. She seems to be a fundamentally insecure person who depends on military-style orders of what should and should not be censored, how public figures should be referred to in stories and how headlines should be changed—to the point that the editor finds himself in such a state of mental confusion and exhaustion that he is forced to think like the censor.

Press censorship in Nicaragua undermines the whole reason for having newspapers in the first place. The day editor who puts out La Prensa must ignore the element of time or the urgency of informing the public or of printing the latest news. His principal concern must always be to arrive as early as possible at the censor's office, for the censor determines when the paper is ready to be published and distributed. If the editor has an important meeting with his staff, the process of censorship will start later and the paper will be delayed.

On days when nothing special happens and the articles that have been submitted to the censor are totally innocuous and merit no suppression, some articles are nevertheless rejected. This is to show that the paper must be censored every day to maintain the disciplinary measures imposed by the military.

Maintaining censorship is vital to the Sandinista regime. Only democratic governments endorsed by an ample popular base can support freedom of the press. This is the real reason, not the state of war, that there is censorship in Nicaragua.

Blandon abuses her responsibilities by persecuting and harming La Prensa in three ways: She hurts the paper financially by not letting it publish on time, which damages its sales on the streets. She deprives La Prensa of its own initiative and style and forces it to conform to that of the Sandinistas. And finally, by letting the Sandinistas print their own version of the news, little by little La Prensa is converted into a newspaper with little attraction.

None of these three things has been achieved to the government's satisfaction,

because of the courage and determination of those who produce La Prensa. They continue to try to do their work as if the situation were normal. This is the only way they can keep themselves from falling under the total mental domination of the censor and the Ministry of the Interior.

The editor is constantly forced to insert the word "contra" in each place where the international wires use "rebels" or "anti-Sandinistas." The censor does not allow the use of these words because she considers them too respectable. The rebel commander Eden Pastora must be labeled "the traitor" or his name cannot appear in the paper. The name of the many-time world boxing champion Alexis Arguello has been forever forbidden to appear in La Prensa because of his known sympathy for the rebels. The picture and name of Cardinal Miguel Obando y Bravo, head of the Catholic Church in Nicaragua, have also been prohibited because he has denounced the persecution of the church by the Sandinista regime in the presence of the United Nations and the Organization of American States.

This obsession with the cardinal reached such a point that it led to the censoring of a story about last year's World Series. La Prensa took a poll to see which of the teams in the series—the St. Louis Cardinals or the Kansas City Royals—was more popular in Nicaragua. The result of the poll was titled, "Nicaraguans: The Cardinals Will Be the Champions." The headline was censored: we were not allowed to print the words "cardinals" and "champions" together. We had to substitute "St. Louis" for "Cardinals."

After four years of censorship in Nicaragua, the daily life of La Prensa follows a suffocating routine in which all systems of logical thinking are stifled. Numerous employees must go to the office of the censor with photocopies of the pages. There they spend between 4½ and six hours while the officials review the articles line by line and letter by letter. They even review the classified ads, which are sometimes censored. After they finish they hand the editors a notice called the "Resolution." Stamped on it and pertaining to specific articles are the phrases: "Do Not Publish," or "Change Headline," or "Suppress Paragraphs 1, 2, 3 and 5."

To change a headline the editor must think of one that will not be censored. He is forced, therefore, to think like the censor. Orders to change headlines are frequent and usually affect articles that are not favorable to the regime but that would not be suitable to censor. An example would be a declaration by Contadora that affects the government or an announcement by the Ministry of Industry that productivity has declined. The censors know that most readers read all of the headlines, but read only those articles that interest them. The headlines therefore must not reflect the bad news that may be in the article.

The censor often cuts the first paragraph of the article, leaving the informational content incomprehensible and obliging the editor to kill the story entirely.

The censor leaves out declarations and statements made by President Daniel Ortega and other national leaders when they are speaking outside of Nicaragua and contradict what they do and say in Nicaragua. But what is most improbable is that the censor sometimes censors herself. On Jan. 21, 1986, we received an interview with Nelba Blandon on censorship, by an AP correspondent named Eloy A. Aguilar. We tried to publish it under the headline: "Blandon

Comments on Censorship," but the censor's decision was: "Do Not Publish." On Aguilar's next visit he asked Blandon why the interview, which he considered accurate, was not published. The censor answered: "Because the statements I made were for publication abroad, not for publication in Nicaragua."

Blandon was also censored, according to her, in a long article on Nicaragua in National Geographic Magazine in December 1985. The article cited Jaime Chamorro, director of La Prensa, as well as Blandon on the subject of censorship in Nicaragua. When the two met after the article had appeared, Chamorro refuted her declarations. She responded by saying: "I was censored." Censored? asked Chamorro. She answered: "They did not publish everything I said." The censor protects the "cooperators" or foreign "internationalists" who commit crimes against the Nicaraguan people. She intervenes on behalf of those people who give their support to the Sandinista regime and does not permit any reference to criminal activity or bad behavior—especially if they are Cubans.

Along with photocopies of every page of the paper we send the censor two pages of material that we call "stuffing"—articles that can be substituted for censored stories. La Prensa has been unable to publish on 40 occasions because the censor could not find adequate material to substitute for censored stories. It is prohibited to leave any blank space on a page or in any other way give the impression that the paper has been censored.

On other occasions La Prensa itself has decided not to publish in order to protest the censorship of important articles, such as Pope John Paul II's letter to the bishops of Nicaragua and the pastoral letter written by all of Nicaragua's bishops during Holy Week.

After all of the necessary changes have been made Blandon again must see photocopies before the paper goes to press. At that point she may still demand changes before the order is given to publish. Only then can the editors and writers breathe. The paper has finally been approved. But on many days we are not allowed to publish until the night. On those days, the papers cannot be sold until the following day.

The censor also prohibits the distribution of censored material to friends of the paper, foreign correspondents, embassies or anyone else who shows interest. Censorship must be a completely private matter between the "jailkeeper," the Department of Censorship, and the "criminal," the newspaper La Prensa (which has already been in jail for four years)—and the condemned, it appears, will be in prison forever.

Maintaining censorship is essential to the Sandinistas even though it damages the prestige they so badly want to maintain abroad. In response to international denunciations of censorship in Nicaragua, they maintain the lie that the exercise of censorship is limited strictly to matters of the military and state security.

The dilemma is clear: censorship is a poison that damages their image abroad. But they know that to lift it would result in an internal, deadly poison for which there can be no antidote. Freedom of the press would be the Sandinistas' death sentence.

# 1986 AAA SCHOOL SAFETY PATROL LIFESAVING AWARDS

## HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. WOLF. Mr. Speaker, in May, the American Automobile Association whose national headquarters is located in the 10th District of Virginia, is presenting six young people the highest award given to members of the school safety patrols throughout the United States, the AAA School Safety Patrol Lifesaving Medal.

The lifesaving medal program was initiated in 1949 by the American Automobile Association to recognize and honor selected school safety patrol members for their heroic lifesaving contribution to their communities.

Since its inception, there have been more than 280 boys and girls from 30 States and the District of Columbia who have been honored with the lifesaving medal.

An award review board composed of representatives from active national organizations in the fields of education, law enforcement, and safety selects deserving medal recipients from those candidates who have been officially nominated for consideration.

The 1986 recipients of the AAA School Safety Patrol Lifesaving Medal are:

Brent D. Hagen, 11, Johnson School, Daventon, IA; Christopher M. Schwiebert, 12 Liberty Center Elementary, Liberty Center, OH; Shane D. Snipes, Spruce Creek Elementary, Port Orange, FL; Richard L. Metzler, 11, John F. Kennedy Elementary, Junction City, WI; Holly K. Pyles, 10, Ruskin Elementary, Ruskin, FL; and Patrick J. Tompkins, 15, Guardian Angels, Louisville, KY.

# THE DOOR CLOSES ON SOVIET JEWRY

## HON. HOWARD WOLPE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. WOLPE. Mr. Speaker, earlier this year, when Anatoly Shcharansky was permitted to

leave the Soviet Union after 10 years in prison, I cautioned that we should not permit our euphoria over the release of this courageous and outstanding man to obscure the fact that Jews in the Soviet Union remain imprisoned against their will. For all the talk by the administration of the spirit of Geneva and the effectiveness of quiet diplomacy—both of which the President has credited for the release of Anatoly Shcharansky—it is clear that the summit was and remains a conspicuous failure on the issue of relieving, even slightly, the repression of Soviet Jewry.

The most recent emigration statistics reveal the inescapable truth. In all of 1985, only 1,139 Jews were permitted to leave. In February, 84 Jews left the Soviet Union—4 less than in February 1985. Forty-seven Jews emigrated this past March—48 less than March of last year. Anatoly Shcharansky did celebrate the Passover with his beloved Avital this year in Jerusalem, but his mother, Ida Milgrom, and his brother, Leonid, remain in Moscow, despite understandings that the family would be promptly reunited in freedom.

The silence from the President is deafening. The plight of Soviet Jewry is worsening. The results of the administration's diplomacy—so quiet it cannot be heard—are pitifully meager. It is time once again to reject the vow of silence, and to confront the Soviets by calling them to account—publicly, insistently, and relentlessly. Soviet Jewry, yearning to be free despite the best efforts of the Soviet Government to crush their spirit, deserves no less from our Government at this moment when their prospects are so bleak.

# COMBATING THE PRACTICE OF TORTURE

## HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 6, 1986*

Mr. YATRON. Mr. Speaker, I am pleased to have the opportunity today to join my colleagues, Mr. LEACH and Mr. RODINO, in introducing legislation which provides a legal mechanism to combat the practice of torture. This bill will amend the United Nations Partici-

pation Act of 1945 to carry out obligations of the United States under the United Nations Charter by providing a civil action for recovery of victims from persons engaging in torture.

The legislation we are introducing today will make every person who, under actual or apparent authority of any foreign nation, subjects any person to torture or extrajudicial killing liable to the party injured. International human rights violators visiting or residing in the United States have formerly been held liable for money damages under the Alien Torts Claims Act. Several recent judicial decisions have questioned whether this statute provided a clear basis for future suits in U.S. Federal courts. We have to clarify and expand this area of law. The Torture Victims Protection Act of 1986 will clearly establish a Federal rights of action against human rights violators and authorizes suits by not only aliens, but also U.S. citizens who have been victims of human rights abuse.

The Subcommittee on Human Rights and International Organizations, which I chair, held a series of hearings on the phenomenon of torture. Following these hearings and those before the Senate Foreign Relations Committee, Congress adopted and the President signed a joint resolution on torture. We now must reaffirm the United States' abhorrence of torture by implementing concrete mechanisms to combat its use.

Millions of individuals throughout the world experiences acts of cruelty too brutal to imagine. Many are victimized by their governments—the very institution which should protect them. In addition to the inhumanities these people have to endure, they must endure yet another obstacle: The unwillingness on the part of well-meaning people outside of their governments to look at or listen to their story. Seeing proof of torture is too difficult for many to face, but face it we must. Torture is a powerful and brutal enemy. It can not be conquered if it is ignored, nor can it be beaten solely by admonitions of condemnations. It must be attacked directly and forcefully.

I urge my colleagues to support this landmark legislation so we can begin to eradicate this heinous crime.